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Government Notice

MINISTRY OF WORKS AND TRANSPORT

No. 178

2023

AMENDMENT OF NAMIBIAN CIVIL AVIATION REGULATIONS, 2001: CIVIL AVIATION ACT, 2016

Under sections 54 to 57 of the Civil Aviation Act, 2016 (Act No. 6 of 2016), and after consultation with the Board of Directors of the Namibia Civil Aviation Authority, I have made the regulations set out in the Schedule.

J. MUTORWA
MINISTER OF WORKS AND TRANSPORT

Windhoek, 26 April 2022

SCHEDULE

Commencement, savings and transitional provisions

1. (1) Except as provided under subregulation (2), (3) and (4) -
 - (a) a licence, permit or authorisation relating to a matter covered under these regulations and which was issued in terms of the Act or deemed to have been issued in terms of the Act before the commencement of these regulations remains valid for the period for which it was issued, unless revoked or suspended in terms of the Act; and
 - (b) these regulations commence on the date of publication in the *Gazette*.
- (2) Regulations 65.01.6 and 65.01.8 contained in Part 65 of the Regulations commence after twelve months from the date of commencement of these regulations.
- (3) The regulations contained in Subpart 4 of Part 66 of the Regulations commence after 12 months from the date of commencement of these regulations.
- (4) Regulation 66.01.12 contained in Part 66 of the Regulations commences after twelve months from the date of commencement of these regulations.

Definitions

2. In these regulations a word or an expression to which a meaning has been assigned in the Civil Aviation Act, 2016 (Act No.6 of 2016) has that meaning and unless the context indicates otherwise -

“the Regulations” means the Namibian Civil Aviation Regulations Published under Government Notice No. 1 of 2 January 2001 as amended by Government Notice No. 57 of 1 April 2006, Government Notice No. 201 of 1 November 2006, Government Notice No. 80 of 4 April 2017, Government Notice No. 210 of 31 August 2018, Government Notice No. 293 of 8 November 2018, Government Notice No. 409 of 30 December 2020, Government Notice No. 410 of 30 December 2020, Government Notice No. 89 of 27 March 2020 and Government Notice No. 112 of 30 April 2020.

Amendment of Regulation 1.00.1 of the Regulations

3. Regulation 1. 00.1 of the Regulations is amended by -
 - (a) the insertion after the definition of “aeroplane” of the following definitions:

“ “aeroplane certificated for single-pilot operation” means a type of aircraft which the Executive Director has in terms of the Regulations and technical standards determined, during the certification process, can be operated safely with a minimum crew of one pilot;

“aeroplane required to be operated with a co-pilot” means type of aircraft that is required to be operated with a co-pilot, as specified in the flight manual or by the air operator certificate;”;
 - (b) the insertion after the definition of “AIP Supplement” of the following definition:

“ “aircraft category” means a classification of an aircraft according to specified basic characteristics such as aeroplane, helicopter, glider or free balloon;”;

- (c) the insertion after the definition of “air traffic service personnel” of the following definition:
- “ “air traffic service personnel member” means a person licensed in terms of Part 65 to provide air traffic control service;”;
- (d) the insertion after the definition of “approach control office” of the following definition:
- “ “appropriate airworthiness requirements” means the comprehensive and detailed airworthiness standards and codes established, adopted or accepted by Namibia in terms of Part 21 or the class of aircraft, engine or propeller under consideration;”;
- (e) the substitution for the definition for “approved” of the following definition:
- “ “approved” unless the context indicates otherwise, means approved by the Executive Director in terms of the Regulations and technical standards;”;
- (f) insertion after the definition of “approved” of the following definitions:
- “ “approved ATO” means an organisation approved in terms of Part 141 to perform functions required for the issuance of an aviation document;
- “approved training” means training conducted under special curricula and supervision approved by the Executive Director in terms of the Regulations and technical standards;
- “air traffic control surveillance service” means a service provided directly by means of an air traffic control surveillance system;
- “ATS system” means air traffic services surveillance systems such as ADS-B, PSR, SSR or any comparable ground-based system referred to in Part 172 that enables the identification of an aircraft;”;
- (g) the insertion after the definition of “ceiling” of the following definition:
- “ “certify as airworthy” means to certify that an aircraft or parts of an aircraft comply with current airworthiness requirements after maintenance has been performed on the aircraft or parts of the aircraft;”;
- (h) the insertion after the definition of “company” of the following definition:
- “ “competency” means a combination of skills, knowledge and attitudes required to perform a task to the specified standards;”;
- (i) the insertion after the definition of “Co-Mat” of the following definition:
- “ “credit” means recognition of alternative means or prior qualifications;”;
- (j) the insertion after the definition of “critical phases of flight” of the following definition:
- “ “cross-country” means a flight between a point of departure and a point of arrival not less than the prescript distances apart following a pre-planned route using standard navigation procedures;”;

- (k) the insertion after the definition of “designated” of the following definition:
- “ “designated examiner” means a person designated by the Executive Director as such in terms of the regulations to conduct skill tests and proficiency checks on pilots and other persons for purposes specified in the Regulations;”;
- (l) the insertion after the definition of “Document NAM-CATS-FCL 61” of the following definition:
- “ “Document NAM-CATS-FCL 62” means a document on the Namibian Civil Aviation Technical Standards relating to Recreational Pilot Licensing, which is published by the Executive Director in terms of section 227 of the Act;”;
- (m) the insertion after the definition of “Document NAM-CATS-FPD” of the following definitions:
- “ “Document NAM-CATS-FSTD” means a document on the Namibian Civil Aviation Technical Standards relating to Flight Simulation Training Devices, which is published by the Executive Director in terms of section 227 of the Act;
- “Document NAM-CATS-FSTD A” means a document on the Namibian Civil Aviation Technical Standards relating to Aeroplane Flight Simulation Training Devices, which is published by the Executive Director in terms of section 227 of the Act;
- “Document NAM-CATS-FSTD H” means a document on the Namibian Civil Aviation Technical Standards relating to Helicopter Flight Simulation Training Devices, which is published by the Executive Director in terms of section 227 of the Act;”;
- (n) the insertion after the definition of “diplomatic bag” of the following definition:
- “ “differences training” means training required to acquire additional knowledge and skills on an appropriate FSTD or the aircraft;”;
- (o) by the insertion after the definition of “dry runway” of the following definition:
- “ “dual instruction time” means flight time during which a person is receiving flight instruction from –
- (a) an authorised pilot, on board the aircraft, or
- (b) an authorised remote pilot, using the remote pilot station during a remotely piloted aircraft flight;”;
- (p) by the insertion after the definition of “facility” of the following definition:
- “ “familiarisation training” means training that requires the acquisition of additional knowledge;”;
- (q) the substitution for the definition of “flight crew member” of the following definition:
- “ “flight crew member” means a crew member licenced in terms of Parts 61, 62, 63 and 64 and tasked with duties essential to the operation of an aircraft during a flight duty period;”;

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

“ “flight simulators or training device” means any one of the following four types of apparatus in which flight conditions are simulated on the ground -

- (a) a flight simulator, which provides an accurate representation of the flight deck of a particular aircraft type or an accurate representation of the remotely piloted aircraft system (RPAs) to the extent that the mechanical, electrical, electronic aircraft systems, control functions, the normal environment of flight crew members, and the performance and flight characteristics of that type of aircraft are realistically simulated;
- (b) a flight procedures trainer, which provides a realistic flight deck environment or realistic RPAS environment, and which simulates instrument responses, simple control functions of mechanical, electrical, electronic aircraft systems, and the performance and flight characteristics of aircraft of a particular class;
- (c) a basic instrument flight trainer, which is equipped with appropriate instruments, and which simulates the flight deck environment of an aircraft in flight or the RPAS environment in instrument flight conditions; or
- (d) ATC (Radar or aerodrome) or flight engineer training devices;”;

- (s) the substitution for the definition of “flight time ” of the following definition:

“ “flight time” -

- (a) in relation to aeroplanes, means the total time from the moment an aeroplane first moves for the purpose of taking off until the moment it finally comes to rest at the end of the flight;
- (b) in relation to remotely piloted aircraft systems, means the total time from the moment a command and control (C2) link is established between the remote pilot station (RPS) and the remotely piloted aircraft (RPA) for the purpose of taking off or from the moment the remote pilot receives control following a handover until the moment the remote pilot completes a handover or the C2 link between the RPS and the RPA is terminated at the end of the flight;
- (c) in relation to glider, means the total time occupied in flight, whether being towed or not, from the moment the glider first moves for the purpose of taking off until the moment it comes to rest at the end of the flight;
- (d) in relation to helicopter, the total time from the moment a helicopters rotor blades starts turning until the moment the helicopter finally comes to rest at the end of the flight, and the rotor blades are stopped;”;

- (t) the insertion after the definition of “handicapped passenger” of the following definition:

“ “handover” means the act of passing piloting control from one remote pilot station to another;”;

- (u) the insertion after the definition of “high-risk cargo or mail ” of the following definition:

“ “human performance” means human capabilities and limitations which have an impact on the safety and efficiency of aeronautical operations;”;

- (v) the substitution for the definition of “instrument flight time” of the following definition:

“ “instrument flight time” means the time during which a pilot is piloting an aircraft, or a remote pilot is piloting a remotely piloted aircraft, solely by reference to instruments and without external reference points;”;

- (w) the substitution for the definition of “instrument ground time” of the following definition:

“ “instrument ground time” mean the time during which a pilot is practising, on the ground, simulated instrument flight in a flight simulator training device approved by the Executive Director;”;

- (x) the insertion after the definition of “lighter-than-air aircraft” of the following definitions:

“ “likely” in the context of the medical provisions in Part 67 means with a probability of occurring that is unacceptable to the medical assessor;”;

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

“ “maintenance” in relation to the airworthiness of an aircraft, means the performance of tasks required to ensure the continuing airworthiness of an aircraft, including any one or combination of overhaul, inspection, replacement, defect rectification, and the embodiment of a modification or repair;”;

- (z) the insertion after the definition of “modification” of the following definition:

“ “monitor” in relation to compliance by examiners with the regulations and technical standards, means a cognitive process to compare an actual state to an expected state;”;

- (aa) by the insertion after the definition of “movement area” of the following definition:

“ “NAM-CATS-FSTD” means the Namibian Civil Aviation Technical Standards relating to Flight Simulation Training Devices which is published by the Executive Director in terms of section 227 of the Act;”;

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

“ “performance criteria” means a statement used to assess whether the required levels of performance have been achieved for a competency and performance criterion consists of an observable behaviour, condition and a competency standard;

“pilot” when used as a verb means to manipulate the flight controls of an aircraft during flight time;

“pilot flying (PF)” means the pilot whose primary task is to control and manage the flight path, and the secondary tasks of the PF are to perform non-flight path related actions such as radio communications, aircraft systems, other operational activities and to monitor other crew members;”;

- (cc) the insertion after the definition of “pilot in command” of the following definitions:
- “ “pilot-in-command-under-supervision” means co-pilot performing, under the supervision of the pilot-in-command, the duties and functions of a pilot-in-command, in accordance with a method of supervision acceptable to the Executive Director;
- “powered-lift” means a heavier-than-air aircraft capable of vertical take-off, vertical landing, and low-speed flight, which depends principally on engine-driven lift devices or engine thrust for the lift during these flight regimes and on non-rotating aerofoil for lift during horizontal flight;
- “proficiency check” means demonstration of skill to revalidate or renew ratings and this includes such oral examination as may be required;”;
- (dd) by the insertion after the definition of “remote pilot station” of the following definition:
- “ “renewal” means the administrative action taken by the Executive Director in terms of the regulations with respect to the validity of a licence, rating, authorisation or certificate that allows the holder to continue to exercise the privileges of a licence, rating, authorisation or certificate for a further specified period;”;
- (ee) by the insertion after the definition of “repair” of the following definition:
- “ “revalidation” means an administrative action taken by the Executive Director in terms of the regulations within the period of validity of a rating which allows the holder of the validation to continue to exercise the privileges of the rating for a further specified period;”;
- (ff) by the insertion after the definition of “small aeroplane” of the following definitions:
- “ “significant” in relation to the medical provisions in Part 67, means to a degree or of a nature that is likely to jeopardise flight safety;
- “solo flight time” means flight time during which a student pilot is -
- (a) is the sole occupant of an aircraft;
- (b) remotely piloting an aircraft system; or
- (c) controlling the remotely piloted aircraft system, acting solo;”;
- (gg) the substitution of the definition of “validate” of the following definition:
- “ “validate in relation to a licence, means the action taken by the Executive Director in terms of the regulations and the technical standards, as an alternative to issuing a Namibian licence, in accepting a licence issued by a contracting state as the equivalent of its own licence;”;
- (hh) the deletion of the definitions of “simulator” and “synthetic flight trainer.”.

General amendment of the Regulations

4. The Regulations are amended by the substitution for the phrases “simulator” and “synthetic flight trainer” wherever they occur in the Regulations of the phrase “flight simulation training device”.

Amendment of regulation 1.00.2 of the Regulations

5. Regulation 1.00.2 of the Regulations is amended by the insertion of the following in the appropriate places of the list of abbreviations:

“(eB) ASPL means Airship Pilot Licence;
(jA) CASL means Commercial Airship Pilot Licence;
(fB) ATO means Aviation Training Organisation;
(fC) ATPL means Airline Transport Pilot;
(iB) CFBL means Commercial Free Balloon Pilot Licence;
(jA) CASL means Commercial Airship Pilot Licence;
(jB) CPL means Commercial Pilot Licence;
(nA) DFE means Designated Flight Examiner;
(uA) FBPL means Free Balloon Pilot Licence;
(uB) FCL means Flight Crew Licence;
(uC) FE means Flight Examiner;
(vB) FSTD means Flight Simulator Training Device;
(vC) GPL means Glider Pilot Licence;
(yA) IR means Instrument Rating;
(mm) P1 means Captain or Pilot-In-Command;
(nn) P2 means Co-Pilot;
(ooA) P3 means Third Pilot or Cruise Relief Pilot;
(ppA) PIC means Pilot-In-Command;
(qqA) PICUS means Pilot-In-Command-Under-Supervision;
(qqB) PPL means Private Pilot Licence;
(ttB) RPAS means Remotely Piloted Aircraft System;
(ttC) RPL means Recreational Pilot Licence;
(ttD) RPS means Remote Pilot Station;
(uuBB) SOP means Standard Operating Procedure;
(uuAA) SPL means Student Pilot Licence;
(vvA) TEM means Threat and Error Management.”.

Insertion of Part 60 in the Regulations

6. The following Part is inserted after Part 47 of the Regulations:

“PART 60**FLIGHT SIMULATORS OR TRAINING DEVICES****SUBPART 1: GENERAL**

- 60.01.1 Applicability
- 60.01.2 Qualification levels for flight simulator or training device
- 60.01.3 Application for initial qualification for flight simulator or training device
- 60.01.4 Qualification criteria for flight simulator or training device
- 60.01.5 Issue of Certificate for flight simulator or training device
- 60.01.6 Period of validity of Certificate of Qualification
- 60.01.7 Recurrent evaluation of qualified flight simulator or training device
- 60.01.8 Variation, cancellation or suspension of qualified flight simulator or training device
- 60.01.9 Approvals for users of qualified flight simulator or training device
- 60.01.10 Quality system
- 60.01.11 On-going fidelity requirements
- 60.01.12 Modification of qualified flight simulator or training device
- 60.01.13 Change in qualification level of qualified flight simulator or training device
- 60.01.14 Deactivation, relocation or reactivation of qualified flight simulator or training device

60.01.15 Change of operator of qualified flight simulator or training device
60.01.16 Evaluation teams
60.01.17 Records

SUBPART 2 BASIC INSTRUMENT FLIGHT TRAINERS

60.02.1 Basic Instrument Flight Trainers

SUBPART 1: GENERAL

Applicability

60.01.1 (1) In this Part:

“FSTD operator” means a person or an organisation who operates an FSTD for the purpose or use for which it was approved;

“FSTD user” means a person or an organisation issued with an approval to use a qualified flight simulator or flight training device in terms of regulation 60.01.09;

“qualified flight simulator or training device” means a flight simulator or training device that has been issued with a Certificate of Qualification under this Part.

(2) This Part prescribes the requirements relating to persons and organisations who operate or use FSTD’s and training devices for:

- (a) training and tests leading to the granting and renewal of a pilot, ATC or Flight Engineer licences in terms of Part 61, 62, 63, 65;
- (b) granting or renewal of ratings associated with a pilot, ATC or Flight Engineer licences in terms of Part 61, 62, 63 and 65; and
- (c) proficiency training and checks associated with approved ATO’s or operators of FSTD’s and training devices.

(3) The NAM-FSTD A, NAM-FSTD H NAM-FSTD and ATC simulators apply to all FSTD’s and training devices located within Namibia and operated within Namibia by any Namibian FSTD operator or a foreign FSTD operator.

(4) For the purpose of these regulations, the Executive Director may not accept a Certificate of Qualification for a flight simulator or training device issued by an appropriate authority in respect of a flight simulator or training device located within Namibia unless the Executive Director has granted the flight simulator or flight training device qualification level in terms of these regulations.

(5) The version of the NAM-FSTD Aeroplanes, Helicopter or ATC simulators approved by the Executive Director for the issue of the initial qualification is applicable for future recurrent qualifications of the flight simulator or training device unless the flight simulator or training device is re-categorised in terms of this Part.

(6) A Certificate of Qualification for a flight simulator or training device issued by an appropriate authority to operate within Namibia may not be used for the training of Namibian flight crew or Air Traffic Controllers unless approved by the Executive Director in terms of the Regulations.

(7) For imported flight simulator or training device, the version of the initial qualification approved by the Executive Director is applicable to future recurrent qualifications of the flight simulator or training device unless the flight simulator or training device is re-categorised in terms of the Regulations.

(8) FSTD or training device users must obtain approval to use the flight simulator or training device as part of their approved training programmes despite the fact that the flight simulator or flight training device has been previously qualified.

Qualification levels for flight simulator or training device

60.01.2 (1) A flight simulator qualification in terms of Document NAM-CATS-FSTD A or NAM-CATS-FSTD H will be allocated the following level of qualification as applicable:

- (a) Level 1/A;
- (b) Level 2/B;
- (c) Level 3/C; and
- (d) Level 4/D.

(2) A training device qualified in terms of Document NAM-CATS-FSTD A and NAM-CATS-FSTD H will be allocated the following sublevel of qualification as applicable:

- (a) Basic Instrument Training Device (BITD);
- (b) Flight Training Device – Level 1 (FTD I);
- (c) Flight Training Device – Level 2 (FTD II);
- (d) Flight Navigation Procedures Trainer – Level 1 (FNPT I);
- (e) Flight Navigation Procedures Trainer – Level 2 (FNPT II);
- (f) Flight Navigation Procedures Trainer, Multi Crew – Level 2 (FNPT II MCC); and
- (g) Flight Navigation Procedures Trainer, Multi-Crew – Level 3 (FNPT III MCC).

(3) The training credits applicable to each level of qualification are set out in Document NAM-CATS-FSTD.

Application for initial qualification of flight simulator or training device

60.01.3 (1) Persons or organisations intending to be operators of a flight simulator or flight training device for purposes specified in regulation 60.01.01 must apply, for a Certificate of Qualification for the device, to the Executive Director in the form and manner set out in Document NAM-CATS-FSTD A or NAM-CATS-FSTD H or NAM-CATS ATC Training Device and the application must be accompanied by the appropriate fee prescribed in Part 187.

(1) An application for Certificate of Qualification for a flight simulator or flight training device must include:

- (a) a Qualification Test Guide (QTG) for the device; and

- (b) a document describing the quality system that the operator proposes to use to satisfy regulation 60.01.10.

Qualification criteria for flight simulator or training device

60.01.4 (1) On receipt of an application in terms of regulation 60.01.3, the Executive Director must conduct an evaluation of the flight simulator or flight training device to be known as an initial evaluation.

- (2) The evaluation referred to in subregulation (1), includes the consideration of:
 - (a) any inspection or trial of the flight simulator or training device;
 - (b) the data provided in the Qualification test Guide (QTG); and
 - (c) information available from any test conducted during the initial evaluation.
- (3) If, after the initial evaluation, the Executive Director is satisfied that:
 - (a) the operator's quality system referred to in regulation 60.01.10 will be suitable for the flight simulator or flight training device; and
 - (b) the flight simulator or flight training device meets the required qualification level,

The Executive Director must qualify the flight simulator or flight training device at the appropriate qualification level.

(4) The Executive Director may qualify a flight simulator or flight training device that will simulate a new type of aircraft for which fully validated aircraft data is not available at an interim qualification level that is based on partially validated aircraft data.

(5) An interim qualification level referred to in subregulation (4) applies for the period agreed between the Executive Director and the operator of the device.

(6) If the Executive Director qualifies flight simulator or flight training device in terms of this regulation, the Executive Director must at the same time approve the Qualification Test Guide (QTG) for the simulator or device.

Issue of certificate for flight simulator or training device

60.01.5 (1) The Executive Director must, in the form determined by the Executive Director, issue to the applicant the Certificate of Qualification for the flight simulator or training device if the Executive Director qualifies the simulator or device.

(2) The Certificate of Qualification referred to in subregulation (1) must include the name of the operator, and:

- (a) include information identifying the flight simulator or training device;
- (b) specify the aircraft or ATC Station that is simulated by the flight simulator or training device; and
- (c) specify the qualification level for the flight simulator or training device.

Period of validity of Certificate of Qualification

60.01.6 (1) A certificate of qualification for the flight simulator or training device is valid for:

- (a) 12 months from the date of issue; or
- (b) depending upon the conditions attached to the certificate, any shorter period as specified in the certificate for that period.

(2) A Certificate of Qualification for a flight simulator or training device becomes invalid:

- (a) if revoked or suspended in terms of the Act;
- (b) if cancelled under regulation 60.01.8;
- (c) if there is a change of operator of the qualified flight simulator or training device, unless this change has been approved in terms of this Part; or
- (d) if the flight simulator or training device is deactivated or relocated, unless such deactivation or relocation has been approved in terms of this Part.

(3) A certificate of qualification for a flight simulator or training device is not valid for the period of any suspension imposed under regulation 60.01.8.

Recurrent evaluation of qualified flight simulator or training device

60.01.7 (1) The operator of a qualified flight simulator or training device may within 60 days before the expiry of the Certificate of Qualification in writing request the Executive Director to conduct an evaluation of the device to be known as a re-current evaluation.

(2) Subject to subregulation (3), regulations 60.01.4 and 60.01.5 apply with changes required by the context in respect of a re-current evaluation as if the re-current evaluation is an initial evaluation.

(3) During a re-current evaluation, a qualified flight simulator or training device must be assessed against the qualification level at which the device was certified at the initial qualification of the device in Namibia.

(4) If the Executive Director has changed the qualification level of a qualified flight simulator or training device since the initial evaluation, the qualification level as changed applies in respect of that simulator or device.

Variation, cancellation or suspension of a qualified flight simulator or training device

60.01.8 (1) The Executive Director may by notice in writing to the operator of flight simulator or training device, vary, cancel or suspend the qualification of the device, if:

- (a) the flight simulator training device no longer meets the qualification level specified in its qualification certificate; or
- (b) the operator has failed to comply with a requirement of this Part in relation to the flight simulator or training device.

(2) If an operator of a qualified flight simulator or training device receives a notice of variation or cancellation under subregulation (1), the operator must return the certificate of qualification for the device to the Executive Director within 14 days after receiving the notice.

(3) If the Executive Director varies a qualification for a qualified flight simulator or training device in terms of this regulation, the Executive Director must re-issue the Certificate of Qualification specifying the qualification as varied.

Approvals for users of qualified flight simulator or training device

60.01.9 (1) A person intending to use a qualified flight simulator or training device must in writing apply to the Executive Director for approval to do so.

(2) In considering whether to grant an application made in terms of subregulation (1), the Executive Director must take into account:

- (a) the differences between the characteristics of the flight simulator or training device and the characteristics of a specific type, or a specific make, model and series, of aircraft or ATC Station and whether or not the user operates such an aircraft or ATC Station; and
- (b) the proposed user's operating and training competencies.

(3) The Executive Director may also, in terms of subregulation (2), take into account any other matter that affects the way the simulator or device operates or may be used.

(4) The Executive Director, on approval of qualified flight simulator or training device, must issue to the applicant the approval:

- (a) in writing in the form determined by the Executive Director an approval to use a qualified flight simulator or training device;
- (b) subject to conditions, if any; and
- (c) in terms of Authority's FSTD Training and Testing credits set out in NAM-CATS 60.

(5) An approval referred to in subregulation (4) takes effect on the date of issue and continues to be valid unless the applicable Certificate of Qualification issued for the flight simulator or training device becomes invalid.

(6) The Executive Director may vary, cancel or suspend an approval issued in terms of subregulation (4), by written notice to the user:

- (a) in terms of the Act; or
- (b) if satisfied that any matter that was taken into account under subregulation (2) or (3) has changed.

Quality system

60.01.10 (1) The operator of qualified flight simulator or training device must establish and maintain a quality system that ensures the correct operation and maintenance of the flight simulator or training device.

(2) The quality system referred to subregulation (1) must cover at least the following matters:

- (a) quality policy;
- (b) management responsibility;
- (c) document control;
- (d) resource allocation;
- (e) quality procedures; and
- (f) internal audit.

On-going fidelity requirements

60.01.11 (1) The operator of a Qualified flight simulator or training device must progressively during the 12 months after the issue of the Certificate of Qualification perform:

- (a) all validation tests mentioned in the master Quality Test Guide for the FSTD training device; and
- (b) all functions and subjective tests within the current and any planned training program or an equivalent sample approved by the Executive Director.

(2) The operator of a qualified flight simulator or training device must establish a configuration management system to ensure the continued integrity of the equipment and software of the qualified flight simulator or training device.

(3) The operator of a qualified flight simulator or training device must maintain an on-going modification program to ensure that the equipment, software and performance of the qualified flight simulator or training device accurately simulate the aircraft or airspace specified in the Certificate of Qualification.

(4) The operator of a qualified flight simulator or training device must notify each user of the qualified flight simulator or training device before its use, if the device is unsuitable for any training, testing or checking sequence specified in the Certificate of Qualification.

Modification of qualified flight simulator or training device

60.01.12 (1) The operator of a qualified flight simulator or training device must notify the Executive Director in writing, if the operator proposes to modify the equipment or software of the flight simulator or training device in a way that will change the characteristics of the flight simulator or training device.

(2) On receipt of a notice under subregulation (1), the Executive Director may conduct an evaluation of the simulator or device as it is proposed to be modified, to be known as a special evaluation.

(3) Subject to subregulation (4) and (5), regulations 60.01.4 and 60.01.5 apply with changes required by the context, in respect of a special evaluation as if the special evaluation is an initial evaluation.

(4) If the Executive Director decides not to conduct a special evaluation, in terms of subregulation (2):

- (a) the operator of the qualified flight simulator or training device may make the proposed modification of the qualified flight simulator or training device; and
 - (b) the qualified flight simulator or flight training device continues to be valid.
- (5) During a special evaluation referred to in subregulation (2), a qualified flight simulator or training device must be assessed against the qualification level at which the flight simulator or training device was certified at the initial certification of it in Namibia.
- (6) If the Executive Director has changed the qualification level since the initial evaluation, the qualification level as changed applies.
- (7) This regulation does not apply to the modification of a flight simulator or training device for the purpose of a change in the qualification level of the simulator or device.

Change in qualification level of qualified flight simulator or training device

- 60.01.13** (1) The operator of a qualified flight simulator or flight training device may in writing request the Executive Director to change the qualification level of the training device.
- (2) On receipt of a request in terms of subregulation (1), the Executive Director must conduct a special evaluation of the qualified FSTD or training device, applying the standards set out in Document NAM-CATS-FSTD (A) or NAM-FSTD (H) or NAMCATS-ATC or NAM-CATS-60.
- (3) If the Executive Director changes the qualification level of a qualified flight simulator or training device in terms of this regulation, the Executive Director must:
- (a) approve any resulting modifications to the master QTG of the flight simulator or training device; and
 - (b) issue a revised Certificate of Qualification for the flight simulator or training device.

Deactivation, relocation or reactivation of qualified flight simulator or training device

- 60.01.14** (1) The operator of a qualified flight simulator or training device must in writing notify the Executive Director, if the training device is deactivated.
- (2) The operator of a qualified flight simulator or training device must in writing notify the Executive Director before the operator reactivates or relocates a qualified flight simulator or training device, and the Authority must conduct a special evaluation of the device.
- (3) During a special evaluation referred to in subregulation (2), the qualified flight simulator or training device must be assessed against:
- (a) the qualification level at which the flight simulator or training device was certified at the initial certification of the device in Namibia; or
 - (b) if the Executive Director has changed the qualification level since the initial evaluation, the qualification level as changed applies.

Change of operator of qualified flight simulator or training device

- 60.01.15** (1) The operator of a qualified flight simulator or training device must in writing notify the Executive Director of any intended change of the operator of the simulator training device.

(2) If there is a change of the flight simulator or training device as contemplated in subregulation (1):

- (a) the former operator must give to the new operator the records mentioned in regulation 60.01.17 that apply to the flight simulator or training device; and
- (b) the new operator may in writing apply to the Executive Director for certification of the flight simulator or flight training device.

(3) An application under subregulation (2)(b) must be accompanied by a plan of transfer setting out in detail how the new operator will comply with the requirements of this Subpart.

(4) If the Executive Director is satisfied that the new operator referred to in this regulation is able to comply with the requirements of this Subpart, the Executive Director must:

- (a) approve the plan referred to in subregulation (3); and
- (b) issue a new Certificate of Qualification for the flight simulator or training device.

Evaluation teams

60.01.16 The Executive Director may:

- (a) arrange for an evaluation mentioned in this Subpart to be conducted by an evaluation team of the Authority; and
- (b) appoint a person to be an evaluation team leader, having regard to the skills, qualifications and experience necessary to undertake the evaluation.

Records

60.01.17 (1) The operator of a qualified flight simulator or training device must keep the following records relating to the training device for at least three years after the device is decommissioned:

- (a) the master Quality Test Guide;
- (b) modification records; and
- (c) quality system records.

(2) The operator of a qualified flight simulator or flight training device must also keep the results of each test carried out under regulation 60.01.11(1) for the qualified flight simulator or training device for at least 3 years after the test.

(3) If there is a change of operator of a qualified flight simulator or training device the former operator must give the new operator records and test results relating to the training device and the new operator must keep the records and test results relating to the training device as required by this regulation.

SUBPART 2: BASIC INSTRUMENT FLIGHT TRAINERS**Basic instrument Flight Trainer**

60.02.1 This Subpart is reserved for future use.”

Substitution of Parts 61 of the Regulations

7. The Regulations are amended by the substitution for Part 61 of the following Part:

“PART 61**PILOT LICENSING****SUBPART 1 GENERAL**

- 61.01.1 Applicability
- 61.01.2 Authority to act as pilot of Namibian aircraft, or as pilot of foreign registered aircraft within Namibia
- 61.01.3 Pilot licences
- 61.01.4 Ratings and other approvals relating to pilot licences
- 61.01.5 Flight instructor ratings
- 61.01.6 Maintenance of competency and recency
- 61.01.7 Theoretical knowledge examinations
- 61.01.8 FSTDs to be approved
- 61.01.9 Requirements for approval of FSTDs
- 61.01.10 Validation of a foreign pilot licences, ratings and authorisations
- 61.01.11 Credit for military service
- 61.01.12 Conversion of foreign pilot licences
- 61.01.13 Medical requirements and fitness
- 61.01.14 Language
- 61.01.15 Logging of flight time
- 61.01.16 Curtailment of privileges of pilot licence holders 60 years of age or older
- 61.01.17 Requirements for skill tests
- 61.01.18 Change of name or address
- 61.01.19 Duplicate pilot licence or rating
- 61.01.20 Crediting of flight time and theoretical knowledge
- 61.01.21 Designation of pilots for purposes of training and tests
- 61.01.22 Designation of examiners for purposes of skills test or proficiency checks
- 61.01.23 Documents
- 61.01.24 Register of licences
- 61.01.25 Training for the issuing of a licence, rating or validation
- 61.01.26 Duties of pilots
- 61.01.27 Endorsements and record keeping
- 61.01.28 Payment of currency fee

SUBPART 2 STUDENT PILOT LICENCE

- 61.02.1 Requirements for Student Pilot Licence
- 61.02.2 Application for Student Pilot Licence
- 61.02.3 Issuing of Student Pilot Licence
- 61.02.4 Certificate of competency
- 61.02.5 Period of validity
- 61.02.6 Privileges and limitations of Student Pilot Licence
- 61.02.7 Discontinuing of flight training

61.02.8 Ratings for special purposes for a Student Pilot Licence

61.02.9 Re-issue of Student Pilot Licence

SUBPART 3 PRIVATE PILOT LICENCE (AEROPLANE)

61.03.1 Requirements for Private Pilot Licence (Aeroplane)

61.03.2 Application for, and issue of, a Private Pilot Licence (Aeroplane)

61.03.3 Theoretical knowledge examination

61.03.4 Skills test

61.03.5 Period of validity of Private Pilot Licence (Aeroplane)

61.03.6 Privileges of Private Pilot Licence (Aeroplane)

61.03.7 Ratings for special purposes

61.03.8 Maintenance of competency

61.03.9 Recency requirements for a Private Pilot Licence (Aeroplane)

SUBPART 4 PRIVATE PILOT LICENCE (HELICOPTER)

61.04.1 Requirements for Private Pilot Licence (Helicopter)

61.04.2 Application for, and Issue of, a Private Pilot Licence (Helicopter)

61.04.3 Theoretical knowledge examination

61.04.4 Skill test

61.04.5 Period of validity of Private Pilot Licence (Helicopter)

61.04.6 Privileges of Private Pilot Licence (Helicopter)

61.04.7 Ratings for special purposes

61.04.8 Maintenance of competency

61.04.9 Recency requirements for a Private Pilot Licence (Helicopter)

SUBPART 5 COMMERCIAL PILOT LICENCE (AEROPLANE)

61.05.1 Requirements for Commercial Pilot Licence (Aeroplane)

61.05.2 Application for, and issue of, a Commercial Pilot Licence (Aeroplane)

61.05.3 Theoretical knowledge examination

61.05.4 Skills test

61.05.5 Period of validity of Commercial Pilot Licence (Aeroplane)

61.05.6 Privileges of Commercial Pilot Licence (Aeroplane)

61.05.7 Ratings for special purposes and certificate

61.05.8 Maintenance of competency

61.05.9 Recency requirements for a Commercial Pilot Licence (Aeroplane)

SUBPART 6 COMMERCIAL PILOT LICENCE (HELICOPTER)

61.06.1 Requirements for Commercial Pilot Licence (Helicopter)

61.06.2 Application for, and issue of, a Commercial Pilot Licence (Helicopter)

61.06.3 Theoretical knowledge examination

61.06.4 Skills test

61.06.5 Period of validity of Commercial Pilot Licence (Helicopter)

61.06.6 Privileges of Commercial Pilot Licence (Helicopter)

61.06.7 Ratings for special purposes and certificate

61.06.8 Maintenance of competency

61.06.9 Recency requirements for a Commercial Pilot Licence (Helicopter)

SUBPART 7 AIRLINE TRANSPORT PILOT LICENCE (AEROPLANE)

61.07.1 Requirements for Airline Transport Pilot Licence (Aeroplane)

61.07.2 Application for, and issue of, an Airline Transport Pilot Licence (Aeroplane)

- 61.07.3 Theoretical knowledge examination
- 61.07.4 Skills test
- 61.07.5 Period of validity of Airline Transport Licence (Aeroplane)
- 61.07.6 Privileges of Airline Transport Pilot Licence (Aeroplane)
- 61.07.7 Ratings for special purposes and certificate
- 61.07.8 Maintenance of competency
- 61.07.9 Recency requirements for an Airline Transport Pilot Licence (Aeroplane)

SUBPART 8 AIRLINE TRANSPORT PILOT LICENCE (HELICOPTER)

- 61.08.1 Requirements for Airline Transport Pilot Licence (Helicopter)
- 61.08.2 Application for, and issue of, an Airline Transport Pilot Licence (Helicopter)
- 61.08.3 Theoretical knowledge examination
- 61.08.4 Skills test
- 61.08.5 Period of validity of Airline Transport Licence (Helicopter)
- 61.08.6 Privileges of Airline Transport Pilot Licence (Helicopter)
- 61.08.7 Ratings for special purposes and certificate
- 61.08.8 Maintenance of competency
- 61.08.9 Recency requirements for an Airline Transport Pilot Licence (Helicopter)

SUBPART 9 PRIVATE PILOT LICENCE (POWERED-LIFT)

- 61.09.1 Requirements for Private Pilot Licence (Powered-lift)
- 61.09.2 Application for, and issue of, a Private Pilot Licence (Powered-lift)
- 61.09.3 Theoretical knowledge examination
- 61.09.4 Skills test
- 61.09.5 Period of validity of Private Pilot Licence (Powered-Lift)
- 61.09.6 Privileges of Private Pilot Licence (Powered-lift)
- 61.09.7 Ratings for special purposes
- 61.09.8 Maintenance of competency
- 61.09.9 Recency requirements for a Private Pilot Licence (Powered-lift)

SUBPART 10 COMMERCIAL PILOT LICENCE (POWERED-LIFT)

- 61.10.1 Requirements for Commercial Pilot Licence (Powered-lift)
- 61.10.2 Application for, and issue of, a Commercial Pilot Licence (Powered-lift)
- 61.10.3 Theoretical knowledge examination
- 61.10.4 Skills test
- 61.10.5 Period of validity of Commercial Pilot Licence (Powered-lift)
- 61.10.6 Privileges of Commercial Pilot Licence (Powered-lift)
- 61.10.7 Ratings for special purposes and certificate
- 61.10.8 Maintenance of competency
- 61.10.9 Recency requirements for a Commercial Pilot Licence (Powered-lift)

SUBPART 11 AIRLINE TRANSPORT PILOT LICENCE (POWERED-LIFT)

- 61.11.1 Requirements for Airline Transport Pilot Licence (Powered-Lift)
- 61.11.2 Application for, and issue of, an Airline Transport Pilot Licence (Powered-Lift)
- 61.11.3 Theoretical knowledge examination
- 61.11.4 Skills test
- 61.11.5 Period of validity of Airline Transport Pilot Licence (Powered-lift)
- 61.11.6 Privileges of Airline Transport Pilot Licence (Powered-Lift)
- 61.11.7 Ratings for special purposes and certificate
- 61.11.8 Maintenance of competency
- 61.11.9 Recency requirements for an Airline Transport Pilot Licence (Powered-Lift)

SUBPART 12 GLIDER PILOT LICENCE

- 61.12.1 Requirements for Glider Pilot Licence
- 61.12.2 Application for, and issue of, a Glider Pilot Licence
- 61.12.3 Theoretical knowledge examination
- 61.12.4 Skills test
- 61.12.5 Period of validity of Glider Pilot Licence
- 61.12.6 Privileges of Glider Pilot Licence
- 61.12.7 Ratings for special purposes
- 61.12.8 Maintenance of competency
- 61.12.9 Recency requirements for a Glider Pilot Licence

SUBPART 13 FREE BALLOON PILOT LICENCE

- 61.13.1 Requirements for Free Balloon Pilot Licence
- 61.13.2 Application for, and issue of, a Free Balloon Pilot Licence
- 61.13.3 Theoretical knowledge examination
- 61.13.4 Skills test
- 61.13.5 Period of validity of Free Balloon Pilot Licence
- 61.13.6 Privileges of Free Balloon Pilot Licence
- 61.13.7 Ratings for special purposes
- 61.13.8 Maintenance of competency
- 61.13.9 Recency requirements for a Free Balloon Pilot Licence

SUBPART 14 COMMERCIAL FREE BALLOON PILOT LICENCE

- 61.14.1 Requirements for Commercial Free Balloon Pilot Licence
- 61.14.2 Application for, and issue of, a Commercial Free Balloon Pilot Licence
- 61.14.3 Theoretical knowledge examination
- 61.14.4 Skills test
- 61.14.5 Period of validity of Commercial Free Balloon Pilot Licence
- 61.14.6 Privileges of a Commercial Free Balloon Pilot Licence
- 61.14.7 Ratings for special purposes
- 61.14.8 Maintenance of competency
- 61.14.9 Recency requirements for a Commercial Free Balloon Pilot Licence

SUBPART 15 AIRSHIP PILOT LICENCE

- 61.15.1 Requirements for Airship Pilot Licence
- 61.15.2 Application for, and issue of, an Airship Pilot Licence
- 61.15.3 Theoretical knowledge examination
- 61.15.4 Skills test
- 61.15.5 Period of validity of Airship Pilot Licence
- 61.15.6 Privileges of Airship Pilot Licence
- 61.15.7 Ratings for special purposes
- 61.15.8 Maintenance of competency
- 61.15.9 Recency requirements for an Airship Pilot Licence

SUBPART 16 COMMERCIAL AIRSHIP PILOT LICENCE

- 61.16.1 Requirements for a Commercial Airship Pilot Licence
- 61.16.2 Application for, and issue of, a Commercial Airship Pilot Licence
- 61.16.3 Theoretical knowledge examination
- 61.16.4 Skills test
- 61.16.5 Period of validity of Commercial Airship Pilot Licence

- 61.16.6 Privileges of Airship Pilot Licence for commercial purposes
- 61.16.7 Ratings for special purposes
- 61.16.8 Maintenance of competency
- 61.16.9 Recency requirements for a Commercial Airship Pilot Licence

SUBPART 17 CLASS AND TYPE RATINGS

- 61.17.1 Requirements for and the issue of class and type ratings
- 61.17.2 Training
- 61.17.3 Skills test
- 61.17.4 Circumstances in which type or class ratings are required
- 61.17.5 Special authorisation for type or class ratings
- 61.17.6 Application for class or type rating
- 61.17.7 Period of validity of class or type rating
- 61.17.8 Privileges and variants
- 61.17.9 Transfer of foreign class and type ratings
- 61.17.10 Revalidation

SUBPART 18 INSTRUMENT RATING

- 61.18.1 General
- 61.18.2 Requirements for Instrument Rating
- 61.18.3 Application for an Instrument Rating
- 61.18.4 Theoretical knowledge examination
- 61.18.5 Skills test
- 61.18.6 Period of validity of Instrument Rating
- 61.18.7 Privileges
- 61.18.8 Revalidation
- 61.18.9 Maintenance of competency

SUBPART 19 GRADE I FLIGHT INSTRUCTOR RATING

- 61.19.1 Requirements for Grade I Flight Instructor Rating
- 61.19.2 Application for a Grade I Flight Instructor Rating
- 61.19.3 Skills test
- 61.19.4 Period of validity of Grade I Flight Instructor Rating
- 61.19.5 Privileges
- 61.19.6 Revalidation

SUBPART 20 GRADE II FLIGHT INSTRUCTOR RATING

- 61.20.1 Requirements for Grade II Flight Instructor Rating
- 61.20.2 Application for a Grade II Flight Instructor Rating
- 61.20.3 Skills test
- 61.20.4 Period of validity of Grade II Flight Instructor Rating
- 61.20.5 Privileges
- 61.20.6 Revalidation

SUBPART 21 GRADE III FLIGHT INSTRUCTOR RATING

- 61.21.1 Requirements for Grade III Flight Instructor Rating
- 61.21.2 Application for a Grade III Flight Instructor Rating
- 61.21.3 Theoretical knowledge examination
- 61.21.4 Skills test
- 61.21.5 Period of validity of Grade III Flight Instructor Rating

- 61.21.6 Privileges and limitations
- 61.21.7 Revalidation

SUBPART 22 TYPE RATING INSTRUCTOR RATING (MULTI-PILOT AIRCRAFT)

- 61.22.1 Requirements for a Type Rating Instructor Rating
- 61.22.2 Application for a Type Rating Instructor Rating
- 61.22.3 Skills test
- 61.22.4 Period of validity of Type Rating Instructor Rating
- 61.22.5 Privileges and limitations
- 61.22.6 Revalidation

SUBPART 23 FLIGHT SIMULATION TRAINING DEVICE INSTRUCTOR AUTHORISATION

- 61.23.1 Requirements for Flight Simulation Training Device instructor authorisation
- 61.23.2 Application for a Flight Simulation Training Device instructor authorisation
- 61.23.3 Theoretical knowledge examination
- 61.23.4 Skills test
- 61.23.5 Period of validity of Flight Simulations Training Device instructor authorisation
- 61.23.6 Privileges
- 61.23.7 Revalidation
- 61.23.8 Re-issue

SUBPART 24 NIGHT RATING

- 61.24.1 Requirements for Night Rating
- 61.24.2 Application for a Night Rating
- 61.24.3 Theoretical knowledge examination
- 61.24.4 Skills test
- 61.24.5 Period of validity of Night Rating
- 61.24.6 Privileges

SUBPART 25 TEST PILOT QUALIFICATION

- 61.25.1 General
- 61.25.2 Pilots qualified to conduct flight test
- 61.25.3 Test pilot rating requirements
- 61.25.4 Experience required for test pilot rating
- 61.25.5 Training required for test pilot rating
- 61.25.6 Application for a test pilot rating
- 61.25.7 Issuance of a test pilot rating
- 61.25.8 Period of validity of a test pilot rating
- 61.25.9 Privileges of a test pilot rating
- 61.25.10 Maintenance of competency

SUBPART 26 TUG PILOT RATING

- 61.26.1 Requirements for Tug Pilot Rating
- 61.26.2 Application for Tug Pilot Rating
- 61.26.3 Privileges

SUBPART 27 TOW RATING

- 61.27.1 Requirements for a Tow Rating (Aeroplane)

61.27.2 Application for tow pilot rating (Aeroplane)

61.27.3 Privileges of a Tow Rating (Aeroplane)

SUBPART 28 HELICOPTER SLING-LOAD RATING

61.28.1 Requirements for Helicopter Sling-Load Rating

61.28.2 Application for Helicopter Sling-Load Rating

61.28.3 Privileges

61.28.4 Period of validity of Helicopter Sling Load Rating

SUBPART 29 HELICOPTER WINCHING RATING

61.29.1 Requirements for Winching Rating (Helicopter)

61.29.2 Application for Winching Rating (Helicopter)

61.29.3 Privileges

61.29.4 Period of validity of Winching Rating (Helicopter)

SUBPART 30 HELICOPTER GAME OR LIVESTOCK CULL RATING

61.30.1 Requirements for Helicopter Game or Livestock Cull Rating

61.30.2 Application for Helicopter Game or Livestock Cull Rating

61.30.3 Privileges and Limitations

61.30.4 Period of validity of Helicopter Game or Livestock Cull Rating

SUBPART 31 AGRICULTURAL PILOT RATING

61.31.1 Requirements for Agricultural Pilot Rating

61.31.2 Application for an Agricultural Pilot Rating

61.31.3 Skills test

61.31.4 Privileges

SUBPART 32 DESIGNATED EXAMINERS

61.32.1 Categories of examiners

61.32.2 General requirements for designation as flight examiners

61.32.3 Specific requirements for designation as flight examiners

61.32.4 Application for designation as flight examiner

61.32.5 Issuing of designation as Designated Flight Examiner

61.32.6 Re-designation as Designated Flight Examiner

61.32.7 Designation, oversight, suspension and revoking of designation as Designated Flight Examiner

61.32.8 Authorisations and limitations of Designated Flight Examiners

61.32.9 Crew member status of Designated Flight Examiners

61.32.10 Skills tests and proficiency checks by Designated Flight Examiners

61.32.11 Register of Designated Flight Examiners

SUBPART 33 AEROBATICS RATING (GRADUATE)

61.33.1 Requirements for an Aerobatics Rating (Graduate)

61.33.2 Application for an Aerobatics Rating (Graduate)

61.33.3 Classes of Aerobatics Ratings

61.33.4 Privileges of an Aerobatics Rating

SUBPART 1 GENERAL**Applicability**

61.01.1 (1) This Part prescribes the requirements relating to:

- (a) the issuing, renewal and re-issuing of pilot licences and other forms of approval and privileges, limitations and ratings associated with pilot licences or other forms of approval;
- (b) the validation of foreign pilot licences;
- (c) the conversion of foreign pilot licences; and
- (d) designation of aviation examiners for different purposes.

(2) In this Part any requirements for the issuing, renewal and re-issuing of an aviation document issued in terms of this Part are subject to, and must be read in conjunction with, the requirements in the Act and technical standards relating to aviation documents.

(3) The Executive Director may issue, renew or re-issue pilot licences, ratings and other forms of approvals in terms of this Part, upon being satisfied that the applicant or a matter which requires a licence or approval complies with the requirements of the Act, including the applicable regulations and technical standards.

Authority to act as pilot of Namibian aircraft, or as pilot of foreign registered aircraft within Namibia

61.01.2 (1) A person may not act as a pilot of a Namibian aircraft unless that person:

- (a) holds an appropriate Aircraft Pilot Licence and its associated ratings issued by the Executive Director in terms of this Part 61 or Part 62; or
- (b) holds a foreign pilot licence and its associated rating issued by an appropriate authority and validated by the Executive Director in terms of this Part or Part 62.

(2) A person may not act as a pilot of a foreign registered aircraft in Namibia unless such person holds an appropriate aircraft pilot licence and its associated rating issued or validated by the State of Registry.

(3) Unless authorised in terms of these regulations, the holder of a pilot licence may not exercise privileges other than the privileges applicable to the licence and its associated ratings.

(4) The applicant for, or a holder of, an Aircraft Pilot Licence, including a Student Pilot Licence, who receives training or is tested for the purpose of applying for the appropriate pilot licence or type rating, may act as pilot-in-command of an aircraft in respect of which he or she does not hold such licence or rating: Provided that:

- (a) the flight is not for remuneration or reward;
- (b) no passengers or cargo are transported in the aircraft; and

- (c) the training or testing is conducted by the holder of an applicable and valid flight instructor rating or examiner who holds an appropriate valid type, group type or class rating.

Pilot licences

61.01.3 The Executive Director may issue the following licences in terms of this Part:

- (a) a Student Pilot Licence (SPL);
- (b) a Private Pilot Licence (Aeroplane) (PPL-A);
- (c) a Private Pilot Licence (Helicopter) (PPL-H);
- (d) a Commercial Pilot Licence (Aeroplane) (CPL-A);
- (e) a Commercial Pilot Licence (Helicopter) (CPL-H);
- (f) an Airline Transport Pilot Licence (Aeroplane) (ATPL-A);
- (g) an Airline Transport Pilot Licence (Helicopter) (ATPL-H);
- (h) a Private Pilot Licence (Powered-lift) (PPL-P);
- (i) a Commercial Pilot Licence (Powered-lift) (CPL-P)
- (j) an Airline Transport Pilot Licence (powered lift) (ATPL-P);
- (k) a Glider Pilot Licence (GPL);
- (l) a Free Balloon Pilot Licence (FBPL);
- (m) a Commercial Free Balloon Pilot Licence (CFBL);
- (n) an Airship Pilot Licence (ASPL); and
- (o) a Commercial Airship Pilot Licence (CASL).

Ratings and other approvals relating to pilot licences

61.01.4 (1) The Executive Director may issue the following ratings in respect of pilot licences:

- (a) Category ratings:
 - (i) aeroplane;
 - (ii) helicopter;
 - (iii) glider;
 - (iv) free balloon;
 - (v) airship; and
 - (vi) powered-lift;
- (b) Class ratings:
 - (i) single-engine piston aeroplane (land);
 - (ii) single-engine piston aeroplane (sea);
 - (iii) multi-engine piston aeroplane (land);
 - (iv) multi-engine piston aeroplane (sea);
 - (v) touring motor gliders;

- (vi) conventional gliders;
 - (vii) power-assisted gliders;
 - (viii) hot air balloons;
 - (ix) gas balloons;
 - (x) rigid airships;
 - (xi) non-rigid airships;
 - (xii) single-pilot single-engine helicopters; and
 - (xiii) single-pilot multi-engine helicopters;
- (c) Group Type ratings for free balloons, that is:
- (i) Group A for hot-air balloons with a maximum envelope capacity of 3400m³ and gas balloons with a maximum envelope of 1260m³;
 - (ii) Group B for hot-air balloons with an envelope capacity between 3401m³ and 6000 m³ and gas balloons with an envelope capacity of more than 1260m³;
 - (iii) Group C for hot-air balloons with an envelope capacity between 6001m³ and 10500m³; and
 - (iv) Group D for hot-air balloons with an envelope of more than 10500m³;
- (d) Type ratings:
- (i) piston engine aeroplanes with a maximum certificated mass exceeding 5700 kilograms;
 - (ii) single engine turbo-prop aeroplanes (sea and land);
 - (iii) multi-engine turboprop aeroplanes (sea and land);
 - (iv) aeroplanes certificated for operation with a flight crew of at least two pilots;
 - (v) aeroplanes with unconventional handling characteristics that require additional flying or Flight Simulation Training Device training;
 - (vi) warbird; and
 - (vii) multi-pilot (MP) piston engine or turbine powered helicopters;
- (e) Ratings for special purposes:
- (i) Night Rating;
 - (ii) Instrument Rating;
 - (iii) Flight Instructor Rating;

- (iv) Type Rating Instructor Rating;
 - (v) Tug Pilot Rating;
 - (vi) Helicopter Sling Load Rating;
 - (vii) Helicopter Winch Rating;
 - (viii) Helicopter Game Or Livestock Cull Rating;
 - (ix) Agricultural Pilot Rating;
 - (x) Aerobatics Rating; and
 - (xi) Tow Rating.
- (2) The Executive Director may issue the following types of approvals:
- (a) a Flight Simulation Training Device Instructor Authorisation; and
 - (b) Test Pilot qualification.
- (3) The Executive Director must issue class ratings for aeroplanes in accordance with the list set out in Document NAM-CATS-FCL 61.
- (4) Type ratings for helicopters issued in terms of this Part comprise a type rating for each type of helicopter which does not fall within the classes set out in Document NAM-CATS-FCL 61.
- (5) In order to act as a flight crew member of a variant of another aircraft within a particular class rating, differences or familiarisation training may be required as set out in paragraph 1 of standard 61.17.8 of Document NAM-CATS 61.
- (6) The holder of an Aeroplane Pilot Licence issued in terms this Part is not required to hold a recreational pilot licence in terms of Part 62 for the purpose of flying conventional microlight aeroplanes and light sport aeroplanes: Provided that he or she:
- (a) undergoes different or familiarisation training acceptable to the Executive Director in accordance with the regulations and technical standards; and
 - (b) complies with the relevant requirements in Part 62 for the type or class rating for the aeroplanes endorsed into his or her logbook by a rated instructor.
- (7) The issuing of any type rating in terms of this Part, includes the issuing of the appropriate class rating, if:
- (a) an initial type rating is issued; or
 - (b) the type of aircraft requires the issuing of a new class rating.
- (8) For the purposes of the regulations in this Part, a multi-engine centreline thrust aeroplane is deemed to be a single-engine aeroplane and the provisions that apply to multi-engine centreline thrust aeroplane apply to a single engine aeroplane.

Flight instructor ratings

61.01.5 Flight instructor ratings comprises of:

- (a) Grade I Flight Instructor Rating;
- (b) Grade II Flight Instructor Rating;
- (c) Grade III flight Instructor Rating; and
- (d) Type Rating Instructor Rating.

Maintenance of competency and recency

61.01.6 (1) A proficiency check for a Night Rating or an Instrument Flying Rating conducted after the first skills test for a licence holder revalidates the maintenance of competency.

(2) If a proficiency check is conducted within 90 days prior to the expiry date of competency the new expiry date will be calculated from the original date of expiry.

(3) If the proficiency check is conducted more than 90 days prior to the expiry date of competency the new expiry date will be calculated from the date on which the test or check was conducted.

(4) If the applicant for a pilot licence fails the skills test or proficiency check, the examiner must submit the original test report to Personnel Licensing (PEL) within seven working days of the date of the test.

(5) A skills test or proficiency check may not be conducted before the successful completion of any applicable theoretical examination or oral examination.

(6) The navigation element of the skills test or proficiency check administered for the issuing of a Private Pilot Licence or Commercial Pilot Licence may be conducted as a separate flight within a maximum period of 14 days.

(7) Upon the successful completion of a skills test or proficiency check the designated examiner must issue the test results to the applicant and the applicant must countersign the test report.

(8) If a pilot fails to demonstrate the required standard during the skills test or proficiency check:

- (a) the person who conducted the skills test or proficiency check must inform the pilot that the pilot may not exercise the privileges of the particular licence;
- (b) the person who conducted the test or check must issue a Notice of Denial to the pilot and provide a copy of the notice to the pilot and a copy to the Executive Director, together with the test or check form;
- (c) the pilot to whom a Notice of Denial is issued in terms of paragraph (b) must undergo corrective training with a flight instructor other than the person who conducted the skills test or proficiency check, before submitting him or herself for a test or a check;
- (d) a skills test or proficiency check may not be conducted on the same day of an unsuccessful skills test or revalidation check; and

- (e) a skills test or proficiency check may only be conducted with a letter of recommendation by the flight instructor.

(9) The holder of a pilot licence must annually submit to the Executive Director a certified copy of the summary of his or her logbook in the form set out in Document NAM-CATS-FCL 61 together with the prescribed licence currency fees.

(10) If the Executive Director has reasonable grounds to suspect that a person licenced in terms of this Part has failed to maintain the minimum standard required to exercise the privileges of any licence or rating which he or she holds, the Executive Director may give the licence holder reasonable notice in writing to undergo by a date specified by the Executive Director, the skills test or proficiency check or all or some of the theoretical knowledge examinations prescribed in this Part in respect of such licence or rating.

(11) If the tests or examinations referred in subregulation (10) show that the standard of the licence or rating holder is below that required for the licence or rating concerned, the Executive Director must in terms of section 42 read with section 44 of the Act suspend the holder from exercising all or any of the privileges of that licence or rating until such time as the holder can show that he or she is again able to meet the skill or theoretical knowledge requirements for that licence or rating.

(12) If the person contemplated in subregulation (10) fails without reasonable cause to undergo the test or examination as directed by the Executive Director, his or her standard is deemed to be below that required for the licence or rating concerned and the provisions of subregulation (11) applies with changes required by the context to this subregulation.

Theoretical knowledge examinations

61.01.7 (1) The Executive Director must publish in Document NAM-CATS-FCL-61 general procedures to be followed by a person applying to be entered for a theoretical knowledge examination as well as the conditions under which the Executive Director will conduct theoretical knowledge examinations.

(2) An applicant wishing to enter for the theoretical knowledge examinations must show proof of holding or having held within the previous 60 months one of the following:

- (a) a valid Namibian Student Pilot Licence qualifying the applicant for entry to a Private Pilot Licence examination;
- (b) a valid Namibian Student Pilot Licence qualifying the applicant for entry to the Commercial Pilot Licence or Airline Transport Pilot Licence examination, if the holder is a student on an integrated training course for the licence;
- (c) a valid Namibian Private Pilot Licence qualifying the applicant for entry to the Commercial Pilot Licence or Airline Transport Pilot Licence examination;
- (d) a valid Namibian Air Force pilot qualification qualifying the applicant for entry to the Commercial Pilot Licence or Airline Transport Pilot Licence examination; or
- (e) a valid pilot licence issued by an appropriate authority qualifying the applicant for entry to the Commercial Pilot Licence or Airline Transport Pilot Licence examination.

(3) A temporary medical restriction of a licence does not disqualify an applicant from entering a theoretical knowledge examination.

(4) The pass mark for any theoretical knowledge examination referred to in this Part is 75 per cent.

(5) An applicant who applies for the issuing or reissuing of a pilot licence, or for the validation of a pilot licence, who has failed a theoretical examination required for the licence may apply for the re-marking of the examinations in accordance with Document NAM-CATS-FCL 61.

(6) An applicant who applies for the issuing or re-issuing of a rating, or a validation of a rating, who has failed a theoretical examination required for the rating may apply for the re-marking of the examinations in accordance with Document NAM-CATS-FCL 61.

(7) The holder of an Instrument Rating on aeroplanes is exempted from the theoretical training and knowledge examination requirements for an Instrument Rating on helicopters, and the holder of an Instrument Rating on helicopters is exempted from the theoretical knowledge training and examination requirements for an Instrument Rating on aeroplanes.

(8) A student pilot having undergone all or part of the integrated training, referred to in regulation 61.01.25, who passed the theoretical knowledge examination for the Commercial Pilot Licence, is deemed to have passed the theoretical knowledge examinations prescribed for the issue of the Private Pilot Licence.

(9) A student pilot having undergone all or part of the integrated training, referred to in regulation 61.01.25, who passed the theoretical knowledge examination for the Airline Transport Pilot Licence, is deemed to have passed the theoretical knowledge examinations prescribed for the issue of the Private and the Commercial Pilot Licences.

(10) A person may not provide another person with, or obtain from another person any examination paper for any examination about to be, or currently being conducted, or part or copy of the examination, unless authorised by the Executive Director to do so.

(11) During any written theoretical knowledge examination under this Part, a person may not:

- (a) use any source of information which has not been approved by the invigilator;
- (b) communicate in any way with another person, except the invigilator;
- (c) take the examination on behalf of, or assist, another person; or
- (d) remove any written or printed material from the examination room.

(12) Any unauthorised conduct or contravention of any examination rules or procedures referred to in this part or NAM-CATS-FCL 61 may result in:

- (a) disqualification in the subject concerned;
- (b) disqualification in any or all subjects already passed;
- (c) disbarment from taking further examinations for a period not exceeding 12 months; and
- (d) prosecution for any applicable criminal offence.

FSTDs to be approved

61.01.8 (1) This regulation applies to any person or organisation that offers or uses a FSTD for purposes of:

- (a) training and skills tests leading to the granting of a pilot licence;
- (b) issuing or re-issuing of ratings associated with a pilot licence; or
- (c) proficiency training and revalidation checks associated with a holder of a pilot licence.

(2) Each FSTD used for the purposes specified in subregulation (1), must be approved by the Executive Director for each particular purpose.

Requirements for approval of FSTDs

61.01.9 The Executive Director must issue an approval for FSTD's based on the requirements prescribed in Part 60.

Validation of a foreign pilot licences, ratings and authorisations

61.01.10 (1) The minimum knowledge, experience and skill requirements for the issuing of a validation for foreign pilot licences and ratings are set out in Document NAM-CATS-FCL 61.

(2) The Executive Director may validate pilot licences and ratings issued by an appropriate authority only when the licences and ratings are deemed equivalent or higher than the standards for Namibian pilot licences and ratings.

(3) If pilot licences and ratings issued by an appropriate authority are not deemed as equivalent to the standards contained in this Part, the applicants for such licence must meet additional requirements to qualify for a validation.

(4) The purposes for which a validation may be issued include any or all of, or a combination of, the following:

- (a) to exercise the privileges of a private pilot in a Namibian aircraft;
- (b) to ferry a Namibian aircraft from one foreign country to another, or from a foreign country to Namibia;
- (c) to conduct demonstration flights in a Namibian aircraft;
- (d) to conduct familiarisation, difference training or route training of Namibian flight crew;
- (e) to provide its holder with time to complete prescribed bridging training for the conversion of the foreign licence or rating as prescribed in subregulation (7) and (8) of regulation 61.01.12 while acting as a flight crew member on a Namibian aircraft during commercial operations; or
- (f) to exercise the privileges of a commercial pilot in a Namibian aircraft for the period specified in the validation.

(5) A holder of a pilot licence and rating issued by an appropriate authority who wishes to act as a pilot of a Namibian aircraft must apply to the Executive Director in the appropriate form set out in Document NAM-CATS-FCL 61 for a validation of such licence or rating.

(6) The application for a validation in terms of subregulation (4) must be accompanied by:

- (a) the appropriate fee as prescribed in Part 187;
- (b) a certified true copy of the licence and rating for which the validation is requested;
- (c) a certified true copy of the relevant valid medical certificate;
- (d) a summary of the applicant's logbook certified by the applicant to contain a true record of the hours flown;
- (e) certified proof of English Language Proficiency compliance in terms of regulation 61.01.14;
- (f) in the case of an application for the validation of a licence and rating for the purpose of exercising the privileges of a commercial pilot in Namibia and for being employed as a pilot in Namibia, an employment offer from a Namibian employer who requires the services of the applicant; and
- (g) a skill test report issued by a designated examiner as prescribed in subregulation 10, unless the validation is sought for the purposes referred to in subregulation (4), (b), (c) and (d).

(7) The Executive Director may validate a pilot licence and rating issued by an appropriate authority:

- (a) subject to the same restrictions which apply to such licence and ratings;
- (b) subject to such conditions and limitations as the Executive Director may consider necessary in the interest of aviation safety;
- (c) in accordance with and subject to the requirements and conditions as prescribed in the Regulations;
- (d) on condition that the privileges do not exceed that of the equivalent Namibian pilot licence or rating; and
- (e) in the form determined by the Executive Director.

(8) A validation issued by the Executive Director in terms of subregulation (7) is valid -

- (a) for a period of -
 - (i) 12 months calculated from the date of issue of the validation;
 - (ii) validity of the licence and rating issued by the appropriate authority concerned;
 - (iii) validity of the valid medical certificate contemplated in paragraph (c) of subregulation (6); or

- (iv) validity of the employment permit of the applicant; or
- (b) until the foreign pilot licence or rating is suspended or revoked in terms of the Act or by the appropriate authority.
- (9) Before the Executive Director validates a foreign pilot licence the Executive Director must confirm the validity of the foreign licence or rating with the appropriate authority.
- (10) The applicant for the validation of a foreign pilot licence and its associated rating must undergo the appropriate skills test, and:
 - (a) in the case of validation for use as a private pilot under VFR condition, must:
 - (i) attend a tutorial, conducted by at least a Grade III flight instructor at an approved ATO, on the differences in airspaces and terminology within Namibia;
 - (ii) receive a briefing on performance planning, taking into account the effect of density altitude; and
 - (iii) write an examination, approved by the Authority.
 - (b) in the case of validation for use as a private pilot under IFR conditions:
 - (i) attend a tutorial, conducted by at least a Grade II flight instructor at an approved ATO, on the differences in airspaces and terminology within Namibia;
 - (ii) receive a briefing on performance planning taking into account the effect of density altitude; or
 - (iii) pass an examination in air law set by the Authority;
 - (c) in the case of validation for use as a commercial pilot under VFR conditions pass an examination in air law at Commercial Pilot Licence (CPL) level at the Authority; or
 - (d) in the case of validation for use as a commercial pilot under IFR conditions or as an airline transport pilot, pass an examination in air law at Commercial Pilot Licence (CPL) level at the Authority.
- (11) The Executive Director may annually re-issue a validation issued in respect of a foreign pilot licence previously validated in terms of this Part, if the foreign pilot flies a Namibian aircraft in a foreign country for commercial purposes, Provided that:
 - (a) the operation is flown exclusively outside the borders of Namibia; and
 - (b) any flying carried out in Namibia is for the purpose of a ferry flight for pre-or post-maintenance purposes or for the purpose of a revalidation check or skills test.
- (12) If there is no holder of a Flight Instructor Rating available in Namibia to conduct training on a particular type of aircraft, the Executive Director may validate a flight instructor rating issued by an appropriate authority to authorise the holder of the rating to conduct training on a particular type of aircraft to which the rating pertains.

(13) The holder of a validation issued by the Executive Director in terms of this regulation must comply with the provisions prescribed in this Part and the requirements and conditions set out in Document NAM-CATS-FCL 61.

(14) If a skills test or a proficiency check is required for the purposes of a validation, such test must be undertaken in an aircraft of the category, class or type, appropriate to the pilot licence for which the validation is sought, or in a FSTD approved for the purpose.

(15) A validation in terms of this regulation is based on the licence of the appropriate authority and no additional ratings must be added on the validation.

(16) The holder of a validation issued by the Executive Director may, subject to the provisions of subregulation (6), apply to the Executive Director for the renewal of the validation at least 21 days immediately before the date of expiry of such validation.

(17) The Executive Director may renew the validation for the same appropriate period referred to in subregulation (8), in the circumstances and on the conditions set out in Document NAM-CATS-FCL 61:

(18) A validation of a foreign pilot licence for commercial purposes may only be re-issued on condition that the applicant provides sufficient proof that he or she has complied with all requirements of the appropriate authority which issued the foreign licence or rating in respect of maintenance of competency.

(19) The Executive Director may automatically validate foreign pilot licences and ratings issued by an appropriate authority: Provided that:

- (a) that the authority has similar licensing laws to that of Namibia, and that are compliant with the International Standards and Recommended Practices of ICAO Annex 1;
- (b) Namibia has entered into a formal agreement with the appropriate authority recognising the automatic validation process; and
- (c) Namibia and the appropriate authority have registered their agreement with ICAO pursuant to Article 83 of the Convention on International Civil Aviation.

(20) If subregulation (19) applies, an endorsement indicating the ICAO registration number of the agreement and the list of appropriate authority must appear on licences rendered valid automatically in terms of the agreement.

Credit for military service

61.01.11 (1) A person who is qualified as pilot in the Namibian Air Force may apply to the Executive Director for the issuing of a Private Pilot Licence or a Commercial Pilot Licence or Airline Transport Pilot Licence and its associated rating prescribed in this Part.

(2) An applicant for a Private Pilot Licence in terms of this regulation must have:

- (a) passed that part of the theoretical knowledge examination which deals with air law;
- (b) undergone the skills test; and
- (c) complied with all other requirements, prescribed for the issuing of a private pilot licence in terms of this Part.

(3) An applicant for a Commercial Pilot Licence or an Airline Transport Pilot Licence in terms of this regulation must have:

- (a) passed the theoretical knowledge examination;
 - (b) undergone the skill test; and
 - (c) comply with all other requirements, prescribed for the issuing of a commercial pilot licence or airline transport pilot licence, in terms of this Part.
- (4) An application referred to in subregulation (1) must be:
- (a) made in the appropriate form as set out in Document NAM-CATS-FCL 61; and
 - (b) accompanied by:
 - (i) evidence acceptable to the Executive Director of:
 - (aa) the identity of the applicant;
 - (ba) the age of the applicant; and
 - (ca) employment of the applicant in the Namibia Air Force;
 - (ii) an appropriate valid medical certificate issued in terms of Part 67;
 - (iii) a copy of a summary of the logbook of the applicant;
 - (iv) evidence acceptable to the Executive Director that the applicant has passed the theoretical knowledge examination, or part of the examination, as the case may be;
 - (v) the skill test report set out in Document NAM-CATS-FCL 61;
 - (vi) two recent passport size photographs of the applicant; and
 - (vii) the appropriate fee as prescribed in Part 187.

(5) The Executive Director must credit the experience gained by an applicant referred to in subregulation (1) towards the issuing of a pilot licence and rating in accordance with Document NAM-CATS-FCL 61.

Conversion of foreign pilot licences

61.01.12 (1) This regulation applies to holders of a foreign pilot licence who is a Namibian permanent residence holder or a Namibian citizen and who wish to apply for a licence conversion to a Namibian equivalent pilot licence.

(2) The holder of a foreign pilot licence and rating issued by an appropriate authority may apply to the Executive Director for a conversion of the licence and its associated rating and the Executive Director may, subject to the provisions of the Act, applicable regulations and technical standards convert the licence and rating in a form determined by the Executive Director.

(3) A Namibian pilot licence issued wholly or in part on the basis of a foreign licence must indicate the appropriate authority that issued the licence upon which the conversion is based.

(4) The holder of a validation issued in terms of regulation 61.01.10, may apply for a conversion of his or her licence, without having to meet the theoretical knowledge examinations: Provided that:

- (a) the validation has been held for an uninterrupted period of three years or more; and
- (b) the holder has acquired not less than 750 hours flight time in Namibian airspace.

(5) If issuing a Namibian pilot licence or rating on the basis of a conversion the Executive Director must, in determining whether any foreign examination credits should be applied, take into account any foreign licences or ratings held by the applicant.

(6) An application for the issuing of a Namibian pilot licence or any rating on the basis of the conversion of a foreign pilot licence or rating, must:

- (a) be made to the Executive Director in the appropriate form set out in Document NAM-CATS-FCL 61; and
- (b) be accompanied by:
 - (i) a copy of the foreign pilot licence and rating to which the conversion pertains;
 - (ii) a valid Namibian Medical Certificate, as applicable;
 - (iii) a letter of motivation for conversion of the licence;
 - (iv) an up-to-date curriculum vitae;
 - (v) a certified copy of the pages of his or her logbook containing:
 - (aa) the last 12 months' summary;
 - (ba) endorsements of all class or type ratings; and
 - (ca) endorsements of the last revalidation of his or her licence, class or type and instrument flight ratings;
 - (vi) two recent passport size photographs of the applicant; and
 - (vii) the appropriate fee as prescribed in Part 187.

(7) All applicants for the conversion of a foreign pilot licence must pass the following Namibian theoretical examinations:

- (a) Private Pilot Licence (PPL/VFR):
 - (i) Air law;
 - (ii) Meteorology; and
 - (iii) Flight Performance and Planning;

- (b) Private Pilot Licence with Instrument Rating:
 - (i) Air law;
 - (ii) Meteorology; and
 - (iii) Flight Performance and Planning;
- (c) Commercial Pilot Licence (CPL/VFR):
 - (i) Air law;
 - (ii) Meteorology; and
 - (iii) Flight Performance and Planning;
- (d) Commercial Pilot Licence with Instrument Rating (CPL/IR):
 - (i) Air law;
 - (ii) Meteorology; and
 - (iii) Flight Performance and Planning;
- (e) Airline Transport Pilot Licence:
 - (i) Air law at CPL level;
 - (ii) Meteorology; and
 - (iii) Flight Performance and Planning.

(8) An applicant for the conversion of a foreign pilot licence is required to attend training at an approved ATO, and receive tuition on the recommendation of the Chief Flying Instructor (CFI) with respect to differences in Namibian airspaces, flight performance and planning and typical Namibian weather patterns.

(9) The Chief Flying Instructor must issue a letter of recommendation that the applicant for a conversion of a foreign pilot licence be allowed to do the required examinations.

(10) An applicant for the conversion of a foreign pilot licence must undergo a skills test conducted by a Designated Flight Examiner as follows:

- (a) Private Pilot Licence (PPL/VFR) – skills test for an initial issue;
- (b) Private Pilot Licence with Instrument Rating (PPL/IR) – skills test for revalidation of an Instrument Rating;
- (c) Commercial Pilot Licence (CPL/VFR) – skills test for an initial issue;
- (d) Commercial Pilot Licence with Instrument Rating (CPL/IR) – skills test for revalidation of an Instrument Rating; and
- (e) Airline Transport Pilot Licence–skills test for revalidation of an Instrument Rating.

(11) A foreign flight instructor rating may be converted after the conversion of the CPL/IR or ATPL.

(12) The requirements for the validity, privileges and limitations of any Namibian pilot licence and ratings issued on the basis of a foreign licence are those prescribed in this Part for the validity, privileges and limitations of the equivalent Namibian licence or rating.

(13) Despite the provisions of subregulation (7), the Executive Director may in terms of the Regulations and technical standards require the applicant to do additional examinations, if the standard of the foreign licence on which the conversion is based, is not equivalent to the standards in the Regulations.

Medical requirements and fitness

61.01.13 (1) An applicant for a pilot licence must obtain and submit to the Authority an appropriate medical certificate issued in terms of Part 67 of the Regulations.

(2) The holder of a pilot licence issued in terms of this Part may not exercise the privileges of that licence:

- (a) after becoming aware of having a medical condition with the potential to make him or her unable to meet the medical standards for his or her medical certificate or to safely exercise the privileges of the licence until he or she has been assessed medically fit again by an aviation medical examiner designated in terms of Part 67; or
- (b) if he or she is unable to act as a flight crew member of an aircraft because of the circumstances prescribed in subregulation (1) and (2) of regulation 91.02.3 of Part 91.

(3) Without prejudice to the powers of the Executive Director under the Act, if an authorised officer, inspector or authorised person has reasonable grounds to suspect that a holder of a pilot licence has contravened the provisions of Part 91 pertaining to crew member responsibilities, the authorised officer, inspector or authorised person may require the licence holder to undergo appropriate medical tests and to provide a copy of the report on testing to the authorised officer, inspector or authorised person within 24 hours of the report becoming available.

(4) If the licence holder refuses to submit to the test referred to in subregulation (3), or refuse to provide a copy of the report on testing in accordance with the requirements of subregulation (3) the Executive Director may suspend or revoke the licence in terms of the Act.

(5) The holder of a pilot licence issued in terms of this Part must carry the medical certificate, referred to in subregulation (1), at all times when exercising the privileges of such licence, and must produce such certificate upon request by the Executive Director, an authorised officer, inspector or authorised person.

Language

61.01.14 (1) With the exception of a Student Pilot Licence, a person may not be issued with a pilot licence under this Part unless he or she has demonstrated the appropriate English Language Proficiency set out in Document NAM-CATS-FCL-61 English Language Proficiency.

(2) The holder of a pilot licence issued under this Part must have sufficient ability in reading, speaking and understanding the English language to satisfy the Executive Director that the holder will not be impaired or impeded in the due performance of his or her responsibilities as a pilot by reason of insufficient English language proficiency.

Logging of flight time

61.01.15 (1) The holder of a pilot licence must maintain in a pilot logbook a record of all his or her flight time, instrument time, FSTD time and instruction time.

(2) The holder of a pilot licence may make use of electronic logbooks: provided that the electronic data is printed on paper at least every 90 days, and is certified by the holder to contain a true record of the hours flown and the printed pages filed sequentially in a binder available for inspection on request by the Executive Director, an authorised officer, an inspector or an authorised person.

(3) The form of, and information to be contained in, a logbook referred to in subregulation (1) and the manner in which such logbook must be maintained, must be as set out in Document NAM-CATS-FCL 61.

(4) Entries in pilot logbooks must be made within the following periods after the completion of the flight to be recorded:

- (a) in the case of flights not for hire and reward (Part 91 operations), flight training, and domestic commercial air transport operations, within seven (7) days after the completion of the flight to be recorded;
- (b) in the case of international commercial air transport operations, within 14 days after the completion of the flight to be recorded,

and if a pilot is engaged in flight operations away from the base where the pilot logbook is normally kept, the periods specified in paragraphs (a) and (b) may be extended to 48 hours after return to base.

(5) All pilots must retain their pilot logbooks for at least 60 months calculated from the date they no longer hold a valid pilot licence.

(6) If the holder of a pilot licence carries out a number of flights upon the same day and the interval between successive flights does not exceed 180 minutes, such series of flights may be recorded as a single entry: Provided that in the case of a cross-country flight the route and intermediate stops must be recorded.

(7) The holder of a pilot licence must immediately make his or her logbook available for inspection upon request by the Executive Director, an authorised officer, inspector or authorised person and must submit a summary once annually together with this medical certificate.

(8) The holder of a valid pilot licence must log as pilot-in-command time only that flight time during which he or she is:

- (a) the designated pilot-in-command of the aircraft or if he or she as the designated pilot-in-command provides command supervision to another pilot in terms of paragraph (b);
- (b) the pilot-in-command-under-supervision (PICUS): Provided that there is no intervention by the supervising pilot-in-command and "PICUS" is indicated in the remarks column with the entry certified by the supervising pilot-in-command, and PICUS may, irrespective of the licence which he or she holds, be flown from either the left hand or the right hand seat: Provided that the pilot is appropriately rated and the aircraft is either certificated for multi-pilot (MP) operations or required to be operated by two pilots in terms of Parts 91, 94, 96, 121, 127, 135 or 138;

- (c) carrying out a student solo flight and is the sole occupant of the aircraft, except in the case of an airship requiring an additional crew member, and “SOLO” is indicated in the remarks column of the logbook; or
 - (d) giving flight instruction while occupying a pilot seat with access to the controls: Provided that the time must also be logged as instructor time.
- (9) An in-flight-relief pilot occupying a pilot seat of an aircraft requiring more than one pilot may log the flight time as co-pilot time while occupying the seat as co-pilot: Provided that he or she writes “Third Pilot” in the remarks column of the logbook.
- (10) A pilot acting as safety pilot in terms of regulation 91.07.32 in Part 91 of the Regulations occupying a pilot seat, with an appropriate valid category, class or type rating, may log the flight as co-pilot.
- (11) The flight time acquired in terms of subregulation (10) may not be credited towards the experience requirements for a higher grade pilot licence or a rating, and remarks column of the logbook must be marked “SAFETY PILOT”.
- (12) Flight time during which the holder of a pilot licence is receiving dual instruction must be logged as dual flight time, and must include a record of the air exercises undertaken.
- (13) The flight crew controlling an aircraft under actual or simulated instrument meteorological conditions solely by reference to instruments and without external reference points must log that time as instrument flight time.
- (14) An instructor conducting instrument flight training or an examiner conducting a skill or proficiency instrument test must log as instrument flight time all flight time in actual (not simulated) instrument meteorological conditions.
- (15) A flight examiner, when acting as an examiner must log flight time as follows:
- (a) when occupying a pilot seat, the flight time may be logged as pilot-in-command time;
 - (b) if a flight examiner administers a skills test or proficiency check from a seat, other than a pilot seat, he or she may log the flight time as co-pilot time: Provided that he or she holds the appropriate valid rating for the particular aircraft, but may not log the time as flight instructor time;
 - (c) flight time accumulated as a Designated Flight Examiner must be marked in the remarks column of the pilot’s logbook as Designated Flight Examiner (DFE) time; and
 - (d) flight time accumulated as Oversight Flight Examiner (OFE) or Authorised Officer (AO) must be marked in the remarks column of the pilot’s logbook as OFE or AO.
- (16) Flight simulation time must be logged in as follows:
- (a) all time accumulated during training on FSTD approved for instrument flight training must be logged as instrument time and flight simulation time and must be certified by the instructor in the pilot’s logbook; and

- (b) instructors and examiners must keep a record of all instruction and examiner time carried out on an approved FSTD and log the time as FSTD time: Provided that they are rated on the simulated aircraft type and are holders of an instructor authorisation issued in terms of this Part.
- (17) Flight instruction time must be logged in as follows:
 - (a) instructors may only log time as instructional time if they are providing the instruction for the issuance or renewal of licences, ratings or authorisations in terms of this Part, except that en-route training conducted in terms of Parts 121, 127 and 135 may not be logged as instructional time; and
 - (b) if the instructor occupies a pilot seat during instruction, instructors may also log the time as PI or co-pilot time, whichever is applicable.

Curtailment of privileges of pilot licence holders 60 years of age or older

61.01.16 (1) The holder of a pilot licence who has attained the age of 60 years may not act as a pilot of an aircraft engaged in an international flight for commercial purposes except as a member of a multi-crew in which case he or she may act as a pilot of an international flight for such purposes until he or she attains the age of 65 years.

(2) The holder of a pilot licence who has attained the age of 65 years may not act as a pilot of an aircraft engaged in an international flight for commercial purposes, unless the appropriate authority has given permission for the pilot to be a flight crew member of commercial air transport operations within that country despite his or her age.

(3) The holder of a pilot licence may act as a pilot of an aircraft engaged in commercial air transport operations within Namibia for as long as he or she meets the medical fitness standard required for the licence which he or she holds.

Requirements for skill tests

61.01.17 (1) An applicant for a skill test prescribed in this Part must:

- (a) have passed the appropriate theoretical knowledge examination, if a theoretical knowledge examination is required;
- (b) present the result of the theoretical knowledge examination to the examiner prior to the skill test, if applicable;
- (c) have successfully completed the appropriate training; and
- (d) have acquired the appropriate experience.

(2) An applicant for a skills test prescribed in this Part must have a recommendation, signed by authorised personnel within the approved ATO who certifies that the candidate:

- (a) has received and logged training time within 60 days preceding the date of the skills test;
- (b) is prepared for the skills test; and
- (c) has demonstrated satisfactory knowledge of the subject in which the candidate was deficient in the theoretical knowledge examination.

(3) A flight instructor or designated examiner or type rating instructor, may be, must, prior to conducting the skill test concerned, ensure that the candidate:

- (a) complies with the provisions of subregulation (1); and
- (b) has an endorsement in his or her logbook as contemplated in subregulation (2).

(4) Any skills test, proficiency check or other test or check as required by this Part, may be conducted in an approved FSTD.

Change of name or address

61.01.18 (1) If a pilot licence and rating issued in terms of this Part:

- (a) does not correctly reflect the name or address of the holder of the licence; or
- (b) contains a photograph which is no longer a recognisable image of the holder of the licence,

such holder must, within 30 days from the day on which such name or address was changed, or from the day of the first determination that such photograph had become an unrecognisable image, apply to the Executive Director for the issuing of a replacement licence and rating document.

(2) An application for the issuing of a replacement licence and rating document must be:

- (a) made in the appropriate form set out in Document NAM-CATS-FCL 61; and
- (b) accompanied by:
 - (i) the original licence and rating;
 - (ii) in the case of a change of name, a copy of a certificate issued in terms of the Aliens Act, 1937 (Act No. 1 of 1937), the Births, Marriages and Death Registration Act, 1963 (Act No. 81 of 1963), a court order or any other legal document which verifies the change of name;
 - (iii) one recent passport size photograph of the applicant; and
 - (iv) the appropriate fee as prescribed in Part 187.

(3) The Executive Director must:

- (a) issue a replacement licence and rating document if the applicant complies with the requirements referred to in subregulation (2); and
- (b) cancel and destroy the original licence and rating document.

(4) Upon the issuing of a new licence the holder of the licence must immediately affix his or her usual signature in ink in the space on the new licence provided for such purpose.

Duplicate pilot licence or rating

61.01.19 (1) The holder of a pilot licence and rating which has been lost destroyed or defaced to such an extent that the particulars on it are illegible must apply to the Executive Director for the issuing of a duplicate licence and rating.

- (2) An application for the issuing of a duplicate licence and rating must be:
 - (a) made in the appropriate form set out in Document NAM-CATS-FCL 61; and
 - (b) accompanied by:
 - (i) an appropriate valid medical certificate issued in terms of Part 67;
 - (ii) two recent passport size photographs of the applicant; and
 - (iii) the appropriate fee as prescribed in Part 187.
- (3) The Executive Director must:
 - (a) issue a duplicate licence and rating if the applicant complies with the requirements referred to in subregulation (2); and
 - (b) endorse the duplicate licence and rating with the word “DUPLICATE” on the licence.
- (4) Upon the issuing of a duplicate licence the holder of the licence must immediately affix his or her signature in ink in the space on the duplicate licence provided for such purpose.
- (5) If, after the issuing of a duplicate licence and rating, the original licence and rating is found the holder of the duplicate licence and rating must take all reasonable steps to obtain such original licence and rating and surrender it immediately to the Executive Director.

Crediting of flight time and theoretical knowledge

- 61.01.20** (1) The Executive Director may only accept, for crediting purposes, flight time entered in a pilot logbook that has been lost or destroyed, where such flight time can be substantiated by a means acceptable to the Executive Director.
- (2) A person acting as pilot of an aircraft while not complying with any requirement of this Part applicable to that person may not credit that flight time for any purpose.
 - (3) A student pilot may be credited in full with all solo and dual instruction time towards the total flight time requirement for the initial issue of a pilot licence.
 - (4) A student attending the integrated training referred to in regulation 61.01.25 may be credited with pilot-in-command instrument time when flying under supervision: Provided that the entries have been certified by the instructor in the remarks column of the pilot’s logbook.
 - (5) From the flight time referred to in subregulation (4), a maximum of 50 hours may be credited towards the pilot-in-command time required for the issue of a Commercial Transport Pilot Licence or Airline Transport Pilot Licence (Aeroplane, Helicopter or Powered-Lift categories, as applicable).
 - (6) The holder of a valid Private Pilot Licence may be credited in full with all solo, dual instruction time and pilot-in-command flight time towards the total flight time experience required for the issue of a rating or the Commercial Pilot Licence in the same aircraft category.
 - (7) The holder of a Commercial Pilot Licence may be credited with the total flight time during which he or she acted as the designated pilot-in-command towards the total pilot-in-command flight time experience required for a rating or the Airline Transport Pilot Licence in the same aircraft category.

- (8) The holder of a private pilot or commercial pilot licence with the appropriate rating may be credited:
- (a) in full with the flight time towards the total flight time required for a higher grade pilot licence when acting as co-pilot at a pilot station of an aircraft certified to be operated with a co-pilot; and
 - (b) with not more than 50 per cent of the co-pilot flight time towards the total time required for a higher grade pilot licence when acting as co-pilot at a pilot station of an aircraft certified for operation by a single pilot but required by Parts 121, 127 or 135 to be operated with a co-pilot.
- (9) The holder of a Commercial Pilot Licence who has completed a multi crew co-operation course (MCC), when acting as co-pilot performing under the supervision of the pilot-in-command the functions and duties of a pilot-in-command, may be credited to a maximum of 500 hours with such flight time towards the pilot-in-command flight time experience required for the Airline Transport Pilot Licence in the same aircraft category: Provided that the supervision is in accordance with a programme approved by the Executive Director and such pilot-in-command time under supervision (PICUS) has been countersigned by the pilot-in-command.
- (10) An airline transport pilot may be credited with the total flight time during which he or she acted as pilot-in-command or co-pilot of an aircraft normally required to be operated with a co-pilot, if such pilot is the holder of an appropriate valid type rating.
- (11) The holder of an aeroplane or helicopter licence may be credited with the acquired flight time in one category to a maximum of 50 per cent of the flight time required for the other category.
- (12) The holder of a recreational pilot licence or PPL in any other category, who wishes to obtain a Private Pilot licence (aeroplane, powered lift or helicopter), must comply with the requirements as referred to in subregulation 61.03.1 and technical standard 61.03.1 of Document NAM-CATS-FCL 61.
- (13) The holder of an aeroplane, powered lift or helicopter pilot licence, or an equivalent pilot licence in the weight-shift controlled microlight aeroplane, gyroplane or glider category who wishes to obtain a Private Pilot Licence (Aeroplane), or PPL (Powered-lift) or PPL (Helicopter) may be credited with up to a maximum of 10 hours.
- (14) The additional 35 hours required for the purpose of qualifying for a PPL(A) mentioned in subregulation (13), must be addressed in a Private Pilot Licence training course that includes:
- (a) a minimum of 20 hours dual instruction in the aircraft category for which the licence is sought; and
 - (b) a minimum of 15 hours solo flying time, which must include five hours cross country flying time and one triangular cross-country flight of at least 150 NM, on which at least one point must not be less than 50 NM from base, including full-stop landings at two different aerodromes away from base: Provided that at least one of the aerodromes from which the aircraft takes off for this flight must be an aerodrome at which an air traffic services unit is in operation and for which a flight plan must be submitted.
- (15) The holder of a recreational pilot licence endorsed with the conventional microlight aeroplane category who wishes to obtain a Private Pilot Licence (Aeroplane) may be credited with up to a maximum of 25 hours.

(16) The additional 20 hours required for the purpose of subregulation (15) must be addressed in a Private Pilot Licence training course that includes:

- (a) a minimum of 10 hours dual instruction in an aeroplane; and
- (b) a minimum of 10 hours solo flying time, which must include five hours cross country flying time and one triangular cross-country flight of at least 150 NM, on which at least one point must be not less than 50 NM from base, including full-stop landings at two different aerodromes away from base: Provided that at least one of the aerodromes from which the aircraft takes off for this flight must be an aerodrome at which an air traffic services unit is in operation and for which a flight plan must be submitted.

(17) The holder of a recreational pilot licence endorsed with the light sport aeroplane category who wishes to obtain a Private Pilot Licence (Aeroplane) may be credited with up to a maximum of 30 hours.

(18) The additional 15 hours required for the purpose of obtaining a Private Pilot Licence must be addressed in a Private Pilot Licence training course that includes -

- (a) a minimum of 10 hours dual instruction in an aeroplane, which must include five hours instrument instruction time; and
- (a) a minimum of five hours solo flying time, which must include one triangular cross-country flight of at least 150 NM, on which at least one point must be not less than 50 NM from base, including full-stop landings at two different aerodromes away from base: Provided that, at least one of the aerodromes from which the aircraft takes off for this flight must be an aerodrome at which an air traffic services unit is in operation and for which a flight plan must be submitted.

(19) The holder of a recreational pilot licence endorsed with a category of conventional microlight aeroplanes or light sport aeroplanes is entitled to be credited with not more than 25 hours flight time acquired towards the total flight time experience prescribed for the issuing of a Glider Pilot Licence.

(20) A graduate of an approved airline transport pilot integrated training course, is entitled to be credited with not more than 50 hours of student pilot-in-command instrument time towards the pilot-in-command time required for the issuing of the airline transport pilot licence and a multi-engine type rating.

(21) A graduate of an approved commercial pilot licence (Instrument Rating) integrated training course is entitled to be credited with not more than 20 hours of student pilot-in-command instrument time towards the pilot-in-command time required for the issuing of the commercial pilot licence and a multi-engine type rating.

(22) A pilot manipulating the flight controls of an aircraft under actual or simulated instrument flight conditions solely by reference to instruments and without external reference points, may be credited with the instrument flight time thus acquired toward the total instrument flight time experience required for a higher grade pilot licence, an Instrument Rating and for keeping an Instrument Rating current.

(23) Dual instruction time must be counted in full towards the total flight time required for a higher grade pilot licence.

(24) Time acquired as a pilot on a FSTD approved for the purpose, while under the supervision of an appropriately qualified instructor, may be credited towards:

- (a) required flight time experience for the issue of a pilot licence or rating, but only to the extent specified in each case in the Regulations;
- (b) the instrument flight time experience required in terms of this Part and of Parts 91, 121, 127 or 135 for keeping the Instrument Rating current; and
- (c) the revalidation of the Instrument Rating.

(25) A pilot-in command, when supervising a pilot manipulating the flight controls of an aircraft under actual (but not simulated) instrument flight conditions, may be credited with the instrument flight time thus acquired towards the total instrument flight experience required as recent experience to maintain the currency of his or her Instrument Rating.

(26) A flight examiner may be credited time towards the experience requirements for a rating or higher pilot licence, all the flight time accrued while carrying out skill testing or proficiency checking and logged in terms of regulation 61.01.15, such as:

- (a) pilot-in-command time if the examiner who holds the appropriate valid class rating or, where applicable, a type rating for the particular aircraft regardless of whether the examiner was the designated pilot-in-command or not;
- (b) flight instructor time, if the examiner holds the appropriate valid flight instructor rating; or
- (c) instrument flight time for the time the flight was conducted under instrument meteorological conditions, if the examiner holds a valid Instrument Rating.

(27) The provisions of subregulation (22) apply only when the flight examiner was occupying a pilot seat.

(28) For the purposes of calculating flight and duty times, as prescribed by Parts 91, 121, 127 and 135, any flight time accrued as flight examiner is deemed 'other flying', whether the examiner occupied a prescribed pilot seat or not.

(29) A flight instructor may be credited with all instruction time acquired while giving flight instruction for the purpose of ab-initio flight training, advanced training for a higher licence, instrument training, instructor training, differences or familiarisation training, or safety training, as defined in Part 141, and training for ratings towards a higher grade flight instructor rating or the revalidation of the existing rating in that category and class of aircraft.

(30) Instruction time acquired in line flying under supervision may only be recognised and logged as such if the Part 121, Part 127 or Part 135 operator has a flight and duty scheme approved by the Authority for line flying under supervision.

(31) For the purpose of subregulation (30) a flight instructor may be credited with not more than three hours instruction time per sector so acquired towards a higher-grade flight instructor rating except in the cases of a flight exceeding nine hours, of which a maximum of one third of that flight time must be recognised.

(32) A flight instructor may be credited with:

- (a) 25 per cent of the instruction time acquired as a FSTD instructor towards the revalidation of a flight instructor rating and towards a higher grade instructor rating. Instruction time so credited may not exceed 100 hours in the case of an upgrade to Grade II flight instructor, or 500 hours in the case of an upgrade to a Grade I flight instructor; and
- (b) 100 per cent of the instruction time acquired in an approved FSTD that is a full size replica of a specific type or make, model and series of aeroplane or helicopter flight deck and provided that the instructor is rated on the simulated aircraft type. Instruction time so credited may not exceed 100 hours in the case of an upgrade to Grade II flight instructor, or 1 000 hours in the case of an upgrade to a Grade I flight instructor.

(33) The holder of a FSTD authorisation issued in terms of this Part may be credited for all the instruction time given on an approved FSTD towards the maintenance of competency prescribed for such authorisation.

(34) A Namibia Air Force pilot or a Namibia Air Force navigator may request the Executive Director, in writing, to be fully or partially credited for theoretical knowledge requirements as set out in Document NAM-CATS FCL 61.01.11 for individual licences or ratings issued in terms of Part 61.

(35) In the case of Namibia Air Force pilots, flight time must be credited in full towards the issue of a Namibian civilian pilot licence and ratings specified in this Part set out in Document NAM-CATS-FCL 61.

(36) In the case of foreign military-trained pilots who can produce evidence satisfactory to the Executive Director of flying hours logged, the Executive Director must credit such flying in full towards the issue of a Namibian civilian pilot licence and ratings.

Designation of pilots for purposes of training and tests

61.01.21 The Executive Director may designate a pilot to conduct the training or tests, in the circumstances and subject to the conditions, requirements, rules, procedures or standards, set out in Document NAM-CATS-FCL 61.

Designation of examiners for purposes of skills tests or proficiency checks

61.01.22 (1) The Executive Director may designate an examiner to conduct any of the skills tests or proficiency checks required for the issuing or re-issuing of pilot licences in terms of Subpart 32.

(2) The Executive Director must sign and issue to each designated examiner a document which must state the full name of such examiner and contain a statement that:

- (a) such examiner has been designated in terms of subregulation (1); and
- (b) such examiner is empowered to exercise the privileges of the designation.

Documents

61.01.23 The Executive Director must ensure that a pilot licence and rating is issued in such a manner that the holder's operating capacity and validity of the licence and rating may readily be determined by the any appropriate authority.

Register of licences

61.01.24 (1) The Executive Director must maintain and keep safe in the Civil Aviation Registry established pursuant to section 52 of the Act a register of all pilot licences issued, re-issued or validated, and ratings issued, re-issued or validated, in terms of this Part.

(2) The register referred to in subregulation (1) must contain the following particulars, which must be recorded immediately upon issuing the licence or rating or validation:

- (a) the full name of the holder of the licence;
- (b) the postal and residential address of the holder of the licence;
- (c) the telephone and, where applicable, e-mail address of the holder of the licence;
- (d) the date on which the licence was issued or validated;
- (e) the number of the licence issued or validated;
- (f) particulars of the ratings held by the holder of the licence;
- (g) the nationality of the holder of the licence; and
- (h) the date on which the licence or any rating is cancelled, if applicable.

(3) The Executive Director must record or ensure the recording of particulars referred to in subregulation (2) in the register within seven days from the date on which the licence was issued, re-issued or validated, or rating was issued, re-issued or validated or suspended or revoked, by the Executive Director.

(4) A licence holder must notify the Executive Director within 14 days of any change of the particulars referred to in subregulation (2).

(5) The Executive Director must provide access to the particulars referred to in subregulation (2) in accordance with the provisions of section 52 of the Act.

Training for the issuing of a licence, rating or validation

61.01.25 (1) Training as required for the purpose of acquiring a licence, rating or validation as required by this Part, may only be provided by:

- (a) a Namibian ATO approved by the Executive Director in terms of the Regulations and technical standards; or
- (b) a foreign ATO approved or accepted by the Executive Director under the provisions set out in Document NAM-CATS-FCL 141.

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

Duties of pilots

61.01.26 A pilot must:

- (a) carry the pilot licence and rating issued to him or her, on his or her person when exercising the privileges of the licence and rating;
- (b) produce the pilot licence and rating to an authorised officer, inspector or authorised person upon request by such officer, inspector or person; and
- (c) Produce the pilot licence and rating to the authorised representative of an appropriate authority if so requested by such representative.

Endorsements and record keeping

61.01.27 (1) An applicant for a licence rating must have the applicable rating endorsed in his or her pilot logbook as set out in Document NAM-CATS-FCL 61.

(2) The endorsement referred to in subregulation (1) must include, but is not limited to, the following details:

- (a) date of the skills test;
- (b) aircraft registration and type;
- (c) name and licence number of examiner; and
- (d) name of the Aviation Training Organisation.

(3) The flight instructor or designated flight examiner conducting a skills test or revalidation check must stamp, sign and date each page of the applicable form before forwarding it to the Executive Director for processing and record keeping.

(4) The stamp referred to in subregulation (3) must include the following details:

- (a) initials and surname of flight instructor or examiner;
- (b) the flight instructor's or the Designated Flight Examiner's pilot licence number; and
- (c) the designation applicable to the flight instructor or examiner, such as Grade II Instructor or FE(A).

Payment of currency fee

61.01.28 (1) The holder of a pilot licence must pay the annual currency fee as prescribed in Part 187 on the anniversary date of the licence.

(2) The payment of the annual currency fee must, where applicable, be accompanied by the annual summary as prescribed by regulation 61.01.6(5) and the medical certificate as prescribed by regulation 61.01.13.

SUBPART 2 STUDENT PILOT LICENCE

Requirements for Student Pilot Licence

61.02.1 (1) An applicant for the issue of a Student Pilot Licence must:

- (a) be 16 years of age or older;
- (b) hold a valid Class 1 or Class 2 medical certificate issued in terms of Part 67, which certificate must be issued prior to the first solo flight; and
- (c) receive flight training at an approved ATO.

(2) The training referred to in subregulation (1)(c) and set out in Document NAM-CATS-FCL 61 must be completed prior to the first solo flight and must be to the level of knowledge, understanding and skill required in order to ensure that the privileges would not permit student pilots to constitute a hazard to aviation.

(3) The training referred to in subregulation (1)(c) must be certified by the holder of at least a Grade II Flight Instructor Rating on the application form referred to in subregulation 61.02.2.

(4) The certification referred to in subregulation (3), for theoretical training required and competency in terms of radio proficiency may be signed by the holder Grade II Flight Instructor Rating referred to in that subregulation.

Application for Student Pilot Licence

61.02.2 An application for a Student Pilot Licence must be made to the Executive Director on the appropriate form set out in Document NAM-CATS-FCL 61 and must be accompanied by:

- (a) an original or certified proof of the identity of the applicant;
- (b) proof of the age of the applicant;
- (c) a valid Class 1 or Class 2 medical certificate issued in terms of Part 67;
- (d) the type of the aircraft on which training will be conducted: Provided that in the case of helicopters training is limited to two helicopters;
- (e) two recent passport-size photographs of the applicant; and
- (f) the appropriate fee as prescribed in Part 187.

Issuing of Student Pilot Licence

61.02.3 (1) The Executive Director must issue a Student Pilot Licence in the appropriate form determined by the Executive Director, if the applicant complies with the requirements referred to in regulation 61.02.2.

(2) Upon the issuing of a Student Pilot Licence the holder of the licence must immediately affix his or her signature in ink in the space on the licence provided for such purpose.

Certificate of competency

61.02.4 (1) If the holder of a Student Pilot Licence, at the time of qualifying for the first solo flight does not hold a restricted radiotelephony operator's certificate, he or she may nevertheless exercise the privileges of the licence: Provided that he or she is the holder of a certificate of competency issued by a flight instructor, which certifies that:

- (a) the applicant has undergone basic training in the use of the radio apparatus installed in the aircraft in which he or she is being trained; and
- (b) the applicant is considered capable of operating such radio apparatus satisfactorily to undertake solo flights:
 - (i) within the circuit area of the aerodrome where the training flights originate and terminate;
 - (ii) within the associated general flying area of such aerodrome;
 - (iii) on cross-country flights; and
 - (iv) with the exception of the control zone or aerodrome traffic zone of the aerodrome referred to in subparagraph (i), outside controlled airspace.

(2) The certificate of competency referred to in subregulation (1) is valid for a period of three months calculated from the date on which such certificate was issued.

Period of validity

61.02.5 A Student Pilot Licence is valid, for the period for which the medical certificate held by the holder of the licence is valid, unless the licence is suspended or revoked in terms of the Act.

Privileges and limitations of Student Pilot Licence

61.02.6 (1) A holder of a valid Student Pilot Licence may not exercise the privileges of the licence unless he or she:

- (a) is in the possession of a valid Class 1 or Class 2 medical certificate, issued to him or her in terms of Part 67; and
- (b) has submitted a copy of the medical certificate to the Authority as required in regulation 61.01.13.

(2) A holder of a valid Student Pilot Licence may for the purpose of training for the applicable pilot licence only fly solo, once he or she has attained the age of 16:

- (a) in the type of aircraft in which he or she is undergoing training as endorsed in his or her logbook, as set out in Document NAM-CATS-FCL-61;
- (b) after a prior written authorisation for a flight, or a sequence of flights, as determined in the relevant curriculum and all such flights are under the supervision of a holder of an appropriate and valid flight instructor rating, or a person appointed by the Chief Flying Instructor: Provided that the appointed person is a holder of at least a Private Pilot Licence;
- (c) without carrying any passengers;

- (d) on a flight other than an international flight; and
- (e) in VMC by day.

(3) Despite paragraph (e) of subregulation (2), a holder of a Student Pilot Licence who is undergoing integrated training referred to in regulation 61.01.25 may exercise the privileges of his or her Student Pilot Licence also:

- (a) in VMC by night, if he or she is a holder of a valid Night Rating; and
- (b) under IFR, if he or she is the holder of a valid Instrument Rating.

(4) Except in an emergency, a holder of a Student Pilot Licence may not land or take-off in an aeroplane from an area other than an aerodrome.

(5) If a holder of a Student Pilot Licence has executed an emergency landing with an aeroplane, in an area other than an aerodrome, only the holder of a Commercial Pilot Licence or an Airline Transport Pilot Licence, or another pilot approved for the purpose in writing by the Executive Director may fly the aircraft out of that area.

Discontinuing of flight training

61.02.7 (1) The Executive Director may permanently discontinue the flight training of any student pilot due to safety concerns.

(2) The procedure for making a recommendation to the Executive Director for the discontinuance of flight training is set out in Document NAM-CATS-FCL 61.

Ratings for special purposes for a Student Pilot Licence

61.02.8 (1) A student pilot, undergoing integrated training in terms of regulation 61.01.25 may undergo training for, and apply for, a Night Rating and an Instrument Rating.

(2) An application for a Night Rating or an Instrument Rating must be made in accordance with Subparts 18 or 24.

Re-issue of Student Pilot Licence

61.02.9 (1) The holder of a Student Pilot Licence which has expired due to the lapse of the period referred to in regulation 61.02.5 may apply to the Executive Director for the re-issuing of the licence.

(2) The Executive Director must re-issue a Student Pilot Licence if the holder of the expired licence complies with the requirements referred to in regulation 61.02.1.

(3) The provisions of regulation 61.02.1 apply to an application referred to in subregulation (1).

SUBPART 3 PRIVATE PILOT LICENCE (AEROPLANE)

Requirements for Private Pilot Licence (Aeroplane)

61.03.1 (1) An applicant for the issue of a Private Pilot Licence (Aeroplane) must:

- (a) be 17 years of age or older;
 - (b) hold a valid Class 1 or 2 medical certificate issued in terms of Part 67;
 - (c) hold a valid restricted radiotelephony operator's Licence;
 - (d) show satisfactory evidence of holding a valid Student Pilot Licence or having held, within the previous 60 months, any of the following:
 - (i) a pilot licence (aeroplane) issued by an appropriate authority;
 - (ii) a Namibian air force pilot qualification (aeroplane); or
 - (iii) a Recreational Pilot Licence issued in terms of Part 62;
 - (e) holds an English Language Proficiency certification set out in Document NAM-CATS-FCL-61;
 - (f) have successfully completed the training set out in Document NAM-CATS-FCL 61 at an approved ATO;
 - (g) have successfully passed the theoretical knowledge examination as prescribed in this Part and set out in Document NAM-CATS-FCL 61; and
 - (h) have undergone the skills test referred to in regulation 61.03.4.
- (2) The applicant for a Private Pilot Licence (Aeroplane) must have completed not less than 40 hours of flight time with an approved ATO as a pilot of an aeroplane, of which:
- (a) at least 25 hours are dual instruction in aeroplanes, which must include five hours instrument instruction time;
 - (b) at least 10 hours are accumulated in solo flight, of which at least 5 hours are cross-country flight time, which must include one triangular cross-country flight of at least 150 NM, on which at least one point must be not less than 50 NM from base and must include full-stop landings at two different aerodromes away from base; and
 - (c) a maximum of five hours dual instruction time may be accumulated in an approved FSTD.
- (3) Namibian Air Force pilots applying for Private Pilot License (Aeroplane) may apply for equivalency crediting for some or all of requirements referred to in regulation 61.01.11.
- (4) Despite subregulation (2), the experience required for the holder of a Glider Pilot Licence or Gyroplane Pilot Licence or of a Recreational Pilot Licence endorsed with the category micro light aeroplane, may be substituted by the experience obtained to the maximum set out in regulation 61.01.20.

Application for, and issue of, a Private Pilot Licence (Aeroplane)

61.03.2 (1) An application for a Private Pilot Licence (Aeroplane) must be made to the Executive Director on the appropriate form set out in Document NAM-CATS-FCL 61 within 30 days after the date of practical skills test referred to in regulation 61.03.4.

- (2) The application referred to in subregulation (1) must be accompanied by:
- (a) a valid Class 1 or Class 2 medical certificate, issued in terms of Part 67;
 - (b) documentary evidence of compliance with paragraph (d) and (e) of regulation 61.03.1(1);
 - (c) the original documentation proving that the applicant has passed the theoretical knowledge examination referred to in paragraph (g) of regulation 61.03.1(1);
 - (d) the applicant's flying logbook summarised in the form set out in Document NAM-CATS-FCL 61;
 - (e) the skills test report set out in Document NAM-CATS-FCL 61;
 - (f) two recent passport-size photographs of the applicant, unless such applicant is the holder of another pilot licence issued in terms of Part 61; and
 - (g) the appropriate fee as prescribed in Part 187.
- (3) The Executive Director must issue a Private Pilot Licence (Aeroplane), if he or she is satisfied:
- (a) that the applicant complies with the requirements referred to in regulation 61.03.1;
 - (b) that the applicant is a fit and proper person within the meaning of section 69 of the Act to exercise the privileges of an aviation document in accordance with the provisions of the Act; and
 - (c) complies with the applicable requirements of section 68 of the Act.
- (4) A Private Pilot Licence (Aeroplane) must be issued in the form determined by the Executive Director.
- (5) The holder of a Private Pilot Licence (Aeroplane) must, upon receipt of the Private Pilot Licence (Aeroplane), immediately affix his or her signature on the licence in ink in the space provided for such purpose.

Theoretical knowledge examination

61.03.3 An applicant for the issue of a Private Pilot Licence (Aeroplane) must:

- (a) have passed the appropriate written examination referred to in regulation 61.03.1(g) within a period of 24 months; and
- (b) have passed the last theoretical knowledge examination within 12 months preceding the skills test for a Private Pilot Licence (Aeroplane).

Skills test

61.03.4 (1) The applicant for a Private Pilot Licence (Aeroplane) must undergo skills test within 90 days immediately preceding the date of application.

(2) An applicant for the issue of a Private Pilot Licence (Aeroplane) must demonstrate the required skills to perform as pilot-in-command of an aeroplane, the procedures and manoeuvres as set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of a Private Pilot Licence (Aeroplane), to:

- (a) a Chief Flying Instructor (Aeroplane) of an approved ATO, with an examiner designation; or
- (b) a Grade I or II Flight Instructor (Aeroplane) appointed in terms of document NAM-CATS-FCL 61 by the chief flying instructor of the approved ATO, with an examiner designation.

(3) The holder of a Private Pilot Licence (Aeroplane) must have flown a minimum of 3 hours as pilot-in-command of aeroplanes in the 6 months preceding the relevant skills test.

(4) The skills test referred to in this regulation must be conducted in an aeroplane with a maximum certificated mass of more than 450 kg.

Period of validity of Private Pilot Licence (Aeroplane)

61.03.5 A Private Pilot Licence (Aeroplane) is valid subject to the following conditions:

- (a) the licence is accompanied by a valid medical certificate as prescribed in regulation 61.03.01;
- (b) the holder complies with the maintenance of competency in terms of regulation 61.03.8 annually;
- (c) the holder pays the currency fee referred to in regulation 61.01.28 and certified copies of the last three pages of the logbook containing entries indicating a record of flight times, an annual summary indicating flight time per category, class, type and total time as well as certified copies of any endorsements entered into the logbook in the preceding 12 months.

Privileges of Private Pilot Licence (Aeroplane)

61.03.6 (1) For the purpose of this regulation “remuneration” does not include the pro rata sharing of the direct operating costs of a flight among the passengers of an aeroplane, in which case the flight is deemed to be a non-revenue flight.

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

- (a) holds a valid Class 1 or 2 medical certificate issued in terms of Part 67;
- (b) has submitted a copy of the medical certificate to the Authority, as required in regulation 61.01.13;
- (c) complies with the requirements for maintenance of competency in regulation 61.03.8; and
- (d) complies with the requirement of section 68(4) of the Act.

(3) The holder of a valid Private Pilot Licence (Aeroplane) may, by day under VMC, act as pilot-in-command or co-pilot, as specified in subregulation (6)(c), of any aeroplane for which he or she holds the appropriate valid class rating or type rating by name.

(4) The holder of a Private Pilot Licence (Aeroplane) may fly Special VFR if in sight of the surface and clear of cloud, fog, mist within a control zone, after being authorised to do so by the responsible air traffic services unit.

(5) The holder of the Private Pilot Licence (Aeroplane) licence is entitled to exercise the privileges of the licence for any of the special purposes referred to in regulation 61.03.7, if the holder holds the appropriate valid rating.

(6) The holder of a Private Pilot Licence (Aeroplane):

- (a) may not act as pilot-in-command of an aeroplane that is carrying passengers or freight for hire or reward;
- (b) may not be remunerated for acting in any pilot capacity in an aeroplane;
- (c) may act as a pilot-in command of an aeroplane in the course of his or her own or employer's business: Provided that:
 - (i) the flight is only incidental to that business or employment; and
 - (ii) the aeroplane does not carry passengers or freight for reward or hire.

Ratings for special purposes

61.03.7 (1) The ratings for special purposes associated with a Private Pilot Licence (Aeroplane) are:

- (a) an Instrument Rating;
- (b) a Night Rating;
- (c) a Tug Pilot Rating;
- (d) an Agricultural Pilot Rating;
- (e) an Aerobatics Rating; and
- (f) a Tow Rating.

(2) An application for any rating referred to in subregulation (1) must be made in accordance with the regulations in Subparts 18, 24, 26, 27, 31 and 33.

Maintenance of competency

61.03.8 (1) The holder of a Private Pilot Licence (Aeroplane) must undergo a revalidation check within 12 months from the date of initial issue of the licence and after that within a period of 24 months calculated from the date of revalidation.

(2) The revalidation check referred to in subregulation (1) must be completed within 90 days prior to expiry of the class or type rating of the licence.

(3) The holder of a Private Pilot Licence (Aeroplane) may not act as pilot-in-command of an aeroplane with passengers on board by day, unless he or she has, within the 90 days immediately preceding the flight executed not less than three take-offs and three landings in an aeroplane of the same type or similar type or in an approved FSTD appropriate to the type.

(4) The holder of a Private Pilot Licence (Aeroplane) may not act as pilot-in-command of an aeroplane with passengers on board by night, unless he or she:

- (a) holds a night rating; and
- (b) has, within the 90 days immediately preceding the flight executed not less than three take-offs and three landings by night in an aeroplane of the same type or similar type or in an approved FSTD appropriate to the type,

Provided that if the holder complies with the provisions of this subregulation, such holder is exempted from the provisions of subregulation (2).

(5) The holder of a Private Pilot Licence (Aeroplane) may not act as pilot-in-command of an aeroplane under IFR or in weather conditions less than the minimum prescribed in Part 91 for VFR, unless he or she holds a valid Instrument Rating and within the 90 days immediately preceding such flight has by means of an instrument approach procedure or procedures established by the Executive Director or by an appropriate authority:

- (a) executed at least two instrument approaches in an approved FSTD, or in an aeroplane, in IMC or simulated IMC; or
- (b) undergone the skills test referred to in regulation 61.18.5.

(6) The holder of a Private Pilot Licence (Aeroplane) who has not maintained competency by passing an initial licence skills test or a revalidation check in the same category of aircraft within the 12 months following initial issue or 24 months following the revalidation of such licence must comply with the following requirements:

- (a) in the case of a holder of a private pilot licence where the maintenance of competency has lapsed by less than 36 months, the licence holder is required to:
 - (i) undergo a minimum of one period of dual flight instruction; and
 - (ii) pass a revalidation check in the same category of aircraft.
- (b) in the case of a holder of a private pilot licence where the maintenance of competency has lapsed by more than 36 months, the licence holder is required to:
 - (i) rewrite the air law examination;
 - (ii) undertake sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check and meet the recency requirements to act as PIC; and
 - (iii) pass an initial licence skills test in the same category of aircraft.

(7) The holder of a Private Pilot Licence (Aeroplane) who has not flown a minimum of three hours as PIC of aeroplanes in the six months preceding a revalidation check must undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of a Private Pilot (Aeroplane), and meet the recency requirements to act as PIC.

Recency requirements for a Private Pilot Licence (Aeroplane)

61.03.9 The holder of a Private Pilot Licence (Aeroplane) must comply with the recency requirements of Part 91.

SUBPART 4 PRIVATE PILOT LICENCE (HELICOPTER)**Requirements for Private Pilot Licence (Helicopter)**

61.04.1 (1) An applicant for the issue of a Private Pilot Licence (Helicopter) must:

- (a) be 17 years of age or older;
- (b) hold at least a valid Class 1 or 2 medical certificate issued in terms of Part 67;
- (c) hold a valid restricted radiotelephony operator's certificate;
- (d) show evidence of holding a valid Student Pilot Licence or having held, within the previous 60 months, any of the following:
 - (i) a Pilot Licence (Helicopter) issued by an appropriate authority;
 - (ii) a Namibian Air Force pilot qualification (helicopter); or
 - (iii) a recreational pilot licence issued in terms of Part 62;
- (e) hold English Language Proficiency certification set out in Document NAM-CATS-FCL-61;
- (f) have successfully completed the training set out in Document NAM-CATS-FCL 61 at an approved ATO;
- (g) have passed the theoretical knowledge examination set out in Document NAM-CATS-FCL 61; and
- (h) have undergone the skill test referred to in regulation 61.04.4.

(2) An applicant for a Private Pilot Licence (Helicopter) must have completed not less than 40 hours flight time as pilot of a helicopter of which:

- (a) at least 25 hours are dual instruction in helicopters; and
- (b) at least 10 hours are accumulated in solo flight, of which five hours are cross-country flight time;

(3) The solo cross-country flight time referred to in paragraph (b) subregulation (2) must include one triangular cross-country flight of at least 100 NM, in the course of which satisfactory full-stop landings at two different aerodromes away from base must have been made.

(4) A maximum of five hours dual instruction time may be accumulated in a helicopter FSTD approved for the purpose by the Executive Director.

(5) Namibian Air Force pilots applying for Private Pilot Licence (Helicopter) may apply for equivalency crediting for some or all of these requirements as indicated in regulation 61.01.11.

Application for, and issue of, a Private Pilot Licence (Helicopter)

61.04.2 (1) An application for a Private Pilot Licence (Helicopter) must be made to the Executive Director on the appropriate form as set out in Document NAM-CATS-FCL 61 within 30 days of satisfactory completion of the skills test.

- (2) The application referred to in subregulation (1) must be accompanied by:
 - (a) a valid Class 1 or Class 2 medical certificate, issued in terms of Part 67;
 - (b) documentary evidence of compliance with paragraphs (d) and (e) of subregulation (1) of regulation 61.04.1;
 - (c) the original documentation proving that the applicant has passed the theoretical knowledge examination referred to in subregulation 61.04.1(1)(g);
 - (d) the applicant's flying logbook summarised in the form set out in Document NAM-CATS-FCL 61;
 - (e) the skills test report set out in Document NAM-CATS-FCL 61;
 - (f) two recent passport-size photographs of the applicant, unless such applicant is the holder of another pilot licence issued in terms of Part 61; and
 - (g) the appropriate fee as prescribed in Part 187.

(3) The Executive Director must issue a Private Pilot Licence (Helicopter), if he or she is satisfied that the applicant:

- (a) complies with the requirements referred to in regulation 61.04.1;
- (b) is a fit and proper person within the meaning of section 69 of the Act to exercise the privileges of an aviation document in accordance with the provisions of the Act; and
- (c) complies with the applicable requirements of section 68 of the Act.

(4) The Executive Director must issue the Private Pilot Licence (Helicopter) in the form determined by the Executive Director.

(5) The holder of a Private Pilot Licence (Helicopter) must, upon receipt of the Private Pilot Licence (Helicopter), immediately affix his or her signature on the licence in ink in the space provided for such purpose.

Theoretical knowledge examination

61.04.3 An applicant for the issue of a Private Pilot Licence (Helicopter) must:

- (a) have passed all the theoretical examinations for a Private Pilot Licence (Helicopter) referred to in paragraph (g) of subregulation (1) of regulation 61.04.1 within a period of 12 months; and
- (b) have passed the last theoretical knowledge examination within six months preceding the taking of the skills test for a Private Pilot Licence (Helicopter).

Skills test

61.04.4 (1) An applicant for the issue of a Private Pilot Licence (Helicopter) must undergo the skills test for a Private Pilot Licence (Helicopter), within 30 days of the last period of dual instruction.

(2) An applicant for the issue of a Private Pilot Licence (Helicopter) must demonstrate the required skill to perform as pilot-in-command of a helicopter, the procedures and manoeuvres set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of a Private Pilot Licence (Helicopter), to:

- (a) A Chief Flying Instructor (Helicopter) of an approved ATO, with an examiner designation; or
- (b) a Grade I or II Flight Instructor (Helicopter) appointed in terms of document NAM-CATS-FCL 61 by the Chief Flying Instructor of the approved ATO, with an examiner designation.

(3) The applicant referred to in subregulation (1) must have undergone the skills test referred to in that subregulation within the 90 days immediately preceding the date of application.

(4) The holder of a Private Pilot Licence (Helicopter) must have flown a minimum of three hours as pilot-in-command of helicopters in the six months preceding the relevant skills test.

Period of validity of Private Pilot Licence

61.04.5 A Private Pilot Licence (Helicopter) is valid subject to the condition that:

- (a) the licence is accompanied by a valid medical certificate as prescribed by regulation 61.04.1;
- (b) the holder of the licence complies with the maintenance of competency in terms of regulation 61.04.8 annually; and
- (c) the holder of the licence pays the currency fee prescribed in regulation 61.01.28 accompanied by certified copies of the last 3 pages of the logbook containing entries indicating a record of flight times, an annual summary indicating flight time per category, class, type and total time as well as certified copies of any endorsements entered into the logbook in the preceding 12 months.

Privileges of Private Pilot Licence (Helicopter)

61.04.6 (1) For the purpose of this regulation “remuneration” does not include the pro rata sharing of the direct operating costs of a flight among the occupants of a helicopter, in which case the flight is deemed to be a non-revenue flight.

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

- (a) is in possession of a valid Class 1 or Class 2 medical certificate, issued to him or her in terms of Part 67;
- (b) has submitted a copy of the medical certificate to the Authority as required in subregulation (1) of regulation 61.01.13; and

- (c) complies with the maintenance of competency requirements.

(3) The holder of a valid Private Pilot Licence (Helicopter) may, by day under VMC, act as pilot-in-command or co-pilot of any helicopter for which he or she holds the appropriate valid type rating.

(4) The holder of a Private Pilot Licence (Helicopter) may fly Special VFR if, in sight of the surface and clear of cloud, fog, mist within a control zone, after being authorised to do so by the responsible air traffic services unit.

(5) The holder of a valid Private Pilot Licence (Helicopter) is entitled to act, as pilot-in-command or co-pilot as specified in of any helicopter engaged in non-revenue flights for which he or she is type rated.

(6) If the holder of a Private Pilot Licence (Helicopter) has the appropriate valid rating, he or she may exercise the privileges of the licence for any of the special purposes referred to in regulation 61.04.7.

- (7) The holder of a Private Pilot Licence (Helicopter):

- (a) may act as co-pilot of any helicopter on which a co-pilot is not a requirement;
- (b) may not act as pilot-in-command of a helicopter that is carrying passengers or freight for reward or hire; and
- (c) may not be remunerated for acting in any pilot capacity in a helicopter.
- (d) may act as a pilot-in command of a helicopter in the course of his or her own or employer's business: Provided that:
 - (i) the flight is only incidental to that business or employment; and
 - (ii) the helicopter does not carry passengers or freight for reward or hire.

Ratings for special purposes

61.04.7 (1) The ratings for special purposes associated with a Private Pilot Licence (Helicopter) are:

- (a) an Instrument Rating;
- (b) a Night Rating;
- (c) a Post Maintenance Test Flight Rating; and
- (d) Agricultural Pilot Ratings.

(2) An application for any rating referred to in subregulation (1) must be made in accordance with the regulations in Subparts 18, 24, 25, 30 or 31.

Maintenance of competency

61.04.8 (1) The holder of a Private Pilot Licence (Helicopter) must undergo a revalidation check within 12 months from the date of initial issue of the licence and after that within a period of 24 months calculated from the date of revalidation.

(2) The revalidation check referred to in subregulation (1) must be completed within 90 days prior to expiry of the class or type rating of the licence.

(3) The holder of a Private Pilot Licence (Helicopter) may not act as pilot-in-command of a helicopter with passengers or cargo or a combination of both on board, by day, unless he or she has, within the 90 days immediately preceding the flight executed not less than three circuits, including the take-off and landing, in a helicopter of the same type or a similar type or in an approved FSTD.

(4) The holder of a Private Pilot Licence (Helicopter) may not act as pilot-in-command of a helicopter with passengers on board by night, unless he or she:

- (a) holds a night rating; and
- (b) has, within the 90 days immediately preceding such flight, executed not less than three circuits, including the take-off and landing, by night in a helicopter of the same type or a similar type or in an approved flight simulation device,

Provided that if the holder of a Private Pilot Licence (Helicopter) complies with the provisions of this subregulation, such holder is exempted from the provisions of subregulation (2).

(5) The holder of a Private Pilot Licence (Helicopter) may not act as pilot-in-command of a helicopter under IFR or in weather conditions less than the minimum prescribed for VFR, unless he or she holds a valid Instrument Rating and within the 90 days immediately preceding such flight, has by means of an instrument approach procedure or procedures, which have been approved by the Executive Director or by an appropriate authority:

- (a) executed at least two instrument approaches in an approved FSTD or in a helicopter, in IMC or simulated IMC; or
- (b) undergone the skills test referred to in regulation 61.18.5.

(6) The holder of a Private Pilot Licence (Helicopter) who has not maintained competency by passing a revalidation check or an initial licence skills test in the same category of aircraft within the 12 months following the initial issue or within 24 months following the revalidation of such licence, must comply with the following requirements:

- (a) in the case of a holder of a private pilot licence (helicopter) where the maintenance of competency has lapsed by less than 36 months, the licence holder is required to:
 - (i) undergo a minimum of one period of dual flight instruction and fly at least three hours as pilot-in-command (PIC); and
 - (ii) pass a revalidation check in the same category;
- (b) in the case of a holder of a Private Pilot Licence (helicopter) where the maintenance of competency has lapsed by more than 36 months, the licence holder is required to:
 - (i) rewrite the air law examination; and
 - (ii) sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check and meet the recency requirements to act as pilot-in-command; and
 - (iii) pass an initial licence skills test in the same category of aircraft.

(7) The holder of a Private Pilot Licence (helicopter) who has not flown a minimum of three hours as PIC of a helicopter in the six months preceding a revalidation check must undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of a Private Pilot Licence (Helicopter), and meet the recency requirements to act as PIC.

Recency requirements for a Private Pilot Licence (Helicopter)

61.04.9 The holder of a Private Pilot Licence (Helicopter) must comply with the recency requirements referred to in Part 91.

SUBPART 5 COMMERCIAL PILOT LICENCE (AEROPLANE)

Requirements for Commercial Pilot Licence (Aeroplane)

61.05.1 (1) An applicant for the issue of a Commercial Pilot Licence (Aeroplane) must:

- (a) be 18 years of age or older;
- (b) hold a valid Class 1 medical certificate issued in terms of Part 67;
- (c) hold a valid general radiotelephony operator's certificate;
- (d) produce satisfactory evidence of holding or having held in the previous 60 months a valid Night Rating and any of the following:
 - (i) a valid Private Pilot Licence (Aeroplane);
 - (ii) a valid pilot licence (aeroplane) issued by an appropriate authority;
 - (iii) a valid Namibian Air Force pilot qualification (aeroplane); or
 - (iv) a valid Student Pilot Licence where the applicant has completed an integrated training course approved by the Executive Director;
- (e) hold an English Language Proficiency certification set out in Document NAM-CATS-FCL-61;
- (f) have successfully completed the training set out in Document NAM-CATS-FCL 61 at an approved ATO;
- (g) have passed the theoretical knowledge examination set out in Document NAM-CATS-FCL 61; and
- (h) have undergone the skills test referred to in regulation 61.05.4.

(2) An applicant for the issue of a Commercial Pilot Licence (Aeroplane) must have completed not less than:

- (a) 200 hours of flight time, which may include 20 hours of flight instruction time in a FSTD approved for this purpose; or
- (b) 150 hours of flight time, if he or she has successfully completed the integrated training referred to in regulation 61.01.25.

(3) The total of 200 hours or 150 hours, as the case may be, referred to in subregulation (2) must include:

- (a) 100 hours as pilot-in-command or 70 hours as pilot-in-command in the case of an applicant who has undergone the integrated training;
- (b) 20 hours of cross-country flight time as pilot-in-command, including one flight of not less than 300 nm with not less than two full-stop landings at different aerodromes away from base must have been made;
- (c) five hours of night flying as pilot-in-command, including not less than five take-offs and five landings by night and a cross-country flight of at least three legs, each of a minimum length of 50 NM;
- (d) 10 hours of instrument flight instruction, of which not more than five hours may have been acquired in a FSTD approved for this purpose; and
- (e) at least five hours instruction in an aeroplane with adjustable flaps, retractable undercarriage and variable pitch propeller or turbojet engine.

(4) A Namibia Air Force pilot or a Namibia Air Force navigator may apply for equivalency crediting for some or all of these requirements as indicated in regulation 61.01.11.

Application for, and issue of, a Commercial Pilot Licence (Aeroplane)

61.05.2 (1) An application for a Commercial Pilot Licence (Aeroplane) must be made to the Executive Director on the appropriate form set out in Document NAM-CATS-FCL 61 within 30 days of the completion of the skills test.

- (2) The application referred to in subregulation (1) must be accompanied by:
- (a) a valid Class 1 medical certificate, issued in terms of Part 67;
 - (b) acceptable documentary evidence of compliance with paragraphs (d) and (e) of subregulation (1) of regulation 61.05.1;
 - (c) the original documentation or certified copies of the documents proving that the applicant has passed the theoretical knowledge examination referred to in regulation 61.01.7 and paragraph (g) of subregulation (1) of regulation 61.05.1(1);
 - (d) the applicant's flying logbook summarised in the form set out in the Document NAM-CATS-FCL 61;
 - (e) the skills test report set out in Document NAM-CATS-FCL 61;
 - (f) two recent passport-size photographs of the applicant, unless such applicant is the holder of another pilot licence issued in terms of this Part; and
 - (g) the appropriate fee as prescribed in Part 187.

(3) The Executive Director must issue a Commercial Pilot Licence (Aeroplane), if he or she is satisfied:

- (a) that the applicant complies with the requirements referred to in regulation 61.05.1;

- (b) that the applicant is a fit and proper person within the meaning of section 69 of the Act to exercise the privileges of an aviation document in accordance with the provisions of the Act; and
 - (c) complies with the applicable requirements of section 68 of the Act.
- (4) The Executive Director must issue the Commercial Pilot Licence (Aeroplane) in the form determined by the Executive Director.
- (5) The holder of a Commercial Pilot Licence (Aeroplane) must, upon receipt of the Commercial Pilot Licence (Aeroplane), immediately affix his or her signature on the licence in ink in the space provided for such purpose.

Theoretical knowledge examination

61.05.3 An applicant for the issue of Commercial Pilot Licence (Aeroplane) must have passed the last theoretical knowledge examination within 36 months preceding the completion of the skill test for a Commercial Pilot Licence (Aeroplane).

Skills test

61.05.4 (1) An applicant for the issue of a Commercial Pilot Licence (Aeroplane) must undergo the test for a Commercial Pilot Licence (Aeroplane), within 30 days of the last period of dual instruction.

(2) An applicant for the issue of a Commercial Pilot Licence (Aeroplane) must demonstrate to a Designated Flight Examiner, the ability to perform as pilot-in-command of an aeroplane, the procedures and manoeuvres as set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of a Commercial Pilot Licence (Aeroplane).

(3) The applicant for the issue of a Commercial Pilot Licence (Aeroplane) must have undergone the skills test referred to in subregulation (1) within the 90 days immediately preceding the date of application.

(4) The test referred to in subregulation (1) must have been conducted in a complex aeroplane with:

- (a) variable pitch propellers, adjustable flaps and retractable undercarriage;
- (b) turbojet engines; or
- (c) an approved FSTD.

(5) An applicant for the issue of a Commercial Pilot Licence (Aeroplane) must have flown a minimum of three hours as pilot-in-command of aeroplanes in the six months preceding the relevant test.

Period of validity of Commercial Pilot Licence (Aeroplane)

61.05.5 A Commercial Pilot Licence (Aeroplane) is valid subject to the condition that:

- (a) the licence is accompanied by a valid Class 1 medical certificate;
- (b) the holder complies with the maintenance of competency in terms of regulation 61.05.8, annually; and

- (c) the holder pays the currency fee prescribed in regulation 61.01.28 accompanied by certified copies of the last three pages of the logbook containing entries indicating a record of flight times, an annual summary indicating flight time per category, class, type and total time as well as certified copies of any endorsements entered into the logbook in the preceding 12 months.

Privileges of Commercial Pilot Licence (Aeroplane)

61.05.6 (1) The holder of a Commercial Pilot Licence (Aeroplane) may not exercise the privileges of that licence unless he or she:

- (a) is in possession of a valid Class 1 medical certificate, issued to him or her in terms of Part 67;
- (b) has submitted a copy of the medical certificate to the Authority as required in subregulation (1) of regulation 61.01.13;
- (c) complies with the maintenance of competency requirements; and
- (d) complies with the requirement of section 68(4) of the Act.

(2) The holder of a valid Commercial Pilot Licence (Aeroplane) may, by day under VMC, act as pilot-in-command or co-pilot of any aeroplane for which he or she holds the appropriate valid class rating or type rating.

(3) The holder of a Commercial Pilot Licence (Aeroplane) may fly Special VFR if, in sight of the surface and clear of cloud, fog, or mist within a control zone, after being authorised to do so by the responsible air traffic services unit.

(4) The holder of a valid Commercial Pilot Licence (Aeroplane) in the type of aeroplane for which he or she is rated, is entitled to:

- (a) in operations other than the carrying of passengers or freight for reward, act as pilot-in-command;
- (b) act as pilot-in-command in commercial air transport operations in any aeroplane certificated for single-pilot operations;
- (c) act as co-pilot in commercial air transport operations in any aeroplane required to be operated with a co-pilot;
- (d) act as a safety pilot; and
- (e) exercise all the privileges referred to in this subregulation, by night.

(5) The holder of the licence is entitled to exercise the privileges of the licence for any of the special purposes referred to in regulation 61.05.7, if the holder holds the appropriate valid rating.

Ratings for special purposes and certificate

61.05.7 (1) The ratings for special purposes associated with a Commercial Pilot Licence (Aeroplane) are:

- (a) a Night Rating;

- (b) an Instrument Rating;
- (c) Flight Instructor Rating (Aeroplane);
- (d) Test Pilot Rating;
- (e) a Tug Pilot Rating;
- (f) Aerobatics Rating;
- (g) Tow Pilot Rating; and
- (h) an Agricultural Pilot Rating.

(2) An application for any rating or the certificate referred to in subregulation (1) must be made in accordance with the regulations in Subparts 18, 20, 24, 25, 26, 27, 31 or 33, as the case may be.

Maintenance of competency

61.05.8 (1) A holder of a Commercial Pilot Licence (Aeroplane) must undergo a revalidation check within 24 months from the date of initial issue or from the date of revalidation, as applicable.

(2) The revalidation check referred to in subregulation (1) must be completed within 90 days prior to expiry of the class or type rating of the licence.

(3) The holder of a Commercial Pilot Licence (Aeroplane) may not act as pilot-in-command of an aeroplane transporting passengers by day, unless he or she has, within the 90 days immediately preceding the flight executed not less than three take-offs and landings in an aeroplane of the same type or a similar type, or in an approved FSTD.

(4) The holder of a Commercial Pilot Licence (Aeroplane) may not act as pilot-in-command of an aeroplane transporting passengers by night, unless he or she has within the 90 days immediately preceding the flight, executed not less than three take-offs and landings by night in an aeroplane of the same type or a similar type or in an approved FSTD: Provided that if the holder complies with the provisions of this subregulation, such holder is exempted from the provisions of subregulation (2).

(5) The holder of a Commercial Pilot Licence (Aeroplane) may not act as pilot-in-command of an aeroplane under IFR or in weather conditions less than the minimum prescribed for VFR, unless he or she is the holder of a valid Instrument Rating and within the 90 days immediately preceding such flight, he or she has, by means of an instrument approach procedure or procedures, which have been approved by the Executive Director or by an appropriate authority:

- (a) executed at least two instrument approaches in an approved FSTD or in an aeroplane, in IMC or simulated IMC; or
- (b) undergone the skills test referred to in regulation 61.18.5.

(6) The holder of a Commercial Pilot Licence (Aeroplane) who has not maintained his or her class or type rating by passing a revalidation check or an initial licence skills test in the same category of aircraft within the 12 months following the issue or revalidation of such licence or rating must comply with the following requirements:

- (a) in the case of a holder of a commercial pilot licence where the maintenance of a class or type rating has lapsed by less than 24 months, the licence holder is required to:
 - (i) undergo a minimum of one period of dual flight instruction, and
 - (ii) pass a revalidation check in the same category of aircraft;
- (b) in the case where the maintenance of competency has lapsed by more than 24 months, but less than 36 months, he or she must -
 - (i) undergo a minimum of two periods of dual training of not less than one hour;
 - (ii) passes a proficiency check;
- (c) in the case of a holder of a commercial pilot licence where the maintenance of a class or type rating has lapsed by more than 36 months, the licence holder is required to:
 - (i) rewrite the air law examination;
 - (ii) undergo sufficient ground and flight training at an approved ATO, to reach the standard required for the revalidation check of a Commercial Pilot Licence (Aeroplane), and meet the recency requirements to act as pilot-in-command (PIC); and
 - (iii) Pass an initial licence skills test in the same category of aircraft.
- (7) The revalidation check must be undertaken in an aeroplane with:
 - (a) adjustable flaps, retractable undercarriage and variable pitch propellers;
 - (b) a turbojet engine; or
 - (c) an approved FSTD.

(8) The holder of a Commercial Pilot Licence (Aeroplane) who has not flown a minimum of three hours as either PIC or pilot-in command under supervision (PICUS) or six hours as co-pilot in the six months preceding a revalidation check, must undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of a Commercial Pilot Licence (Aeroplane), and meet the recency requirements to act as PIC.

Recency requirements for a Commercial Pilot Licence (Aeroplane)

61.05.9 The holder of a Commercial Pilot Licence (Aeroplane) must comply with the recency requirements referred to in Part 91.

SUBPART 6 COMMERCIAL PILOT LICENCE (HELICOPTER)

Requirements for Commercial Pilot Licence (Helicopter)

- 61.06.1** (1) An applicant for the issue of a Commercial Pilot Licence (helicopter) must:
- (a) be 18 years of age or older;
 - (b) hold a valid Class 1 medical certificate issued in terms of Part 67;

- (c) hold a valid general radiotelephony operator's certificate;
 - (d) produce satisfactory evidence of holding or having held, within the previous 60 months, the following:
 - (i) a valid Private Pilot Licence (helicopter);
 - (ii) a valid pilot licence (helicopter) issued by an appropriate authority;
 - (iii) a valid Namibian Air Force pilot qualification (helicopter); or
 - (iv) a valid Student Pilot Licence where the applicant has completed an integrated training course approved by the Authority; and
 - (e) hold an English Language Proficiency certification set out in Document NAM-CATS-FCL-61;
 - (f) have successfully completed the training set out in Document NAM-CATS-FCL 61 at an approved ATO;
 - (g) have passed the theoretical knowledge examination set out in Document NAM-CATS-FCL 61; and
 - (h) have undergone the skill test referred to in regulation 61.06.4.
- (2) An applicant for the issue of a Commercial Pilot Licence (helicopter) must have completed not less than:
- (a) 150 hours of flight time, which may include 10 hours of flight instruction time in a helicopter FSTD approved by the Executive Director for the purpose; or
 - (b) 100 hours of flight time, which may include 10 hours of flight instruction time in a helicopter FSTD, approved for the purpose, if he or she has successfully completed the integrated training referred to in regulation 61.01.25.
- (3) The total of 150 hours or 100 hours, as the case may be, referred to in subregulation (2) must include:
- (a) 35 hours as pilot-in-command;
 - (b) 10 hours of cross-country flight time as pilot-in-command, including a cross-country flight in the course of which landings at two different points away from base have been made;
 - (c) 10 hours of instrument instruction time of which not more than five hours may be acquired in an approved FSTD; and
 - (d) if the privileges of the licence are to be exercised by night, five hours of night flight time including five take-offs and five landing patterns as pilot-in-command.
- (4) A Namibia Air Force pilot or a Namibia Air Force navigator applying for Commercial Pilot Licence (Helicopter) may apply for equivalency crediting for some or all of these requirements as indicated in regulation 61.01.11.

Application for, and issue of, a Commercial Pilot Licence (Helicopter)

61.06.2 (1) An application for a Commercial Pilot Licence (Helicopter) must be made to the Executive Director on the appropriate form as set out in Document NAM -CATS-FCL 61 within 30 days after the date of the practical skills test.

- (2) The application referred to in subregulation (1) must be accompanied by:
- (a) a valid Class 1 medical certificate, issued in terms of Part 67;
 - (b) acceptable documentary evidence of compliance with paragraphs (d) and (e) of subregulation (1) of regulation 61.06.1;
 - (c) the original documentation or certified copies of the documents proving that the applicant has passed the theoretical knowledge examination referred to in subregulation (1) of regulation 61.06.1 and regulation 61.01.7;
 - (d) the applicant's flying logbook summarised in the form set out in the Document NAM-CATS-FCL 61;
 - (e) the skills test report set out in Document NAM-CATS-FCL 61;
 - (f) two recent passport-size photographs of the applicant, unless such applicant is the holder of another pilot licence issued in terms of this Part; and
 - (g) the appropriate fee as prescribed in Part 187.

(3) The Executive Director must issue a Commercial Pilot Licence (Helicopter), if he or she is satisfied:

- (a) that the applicant complies with the requirements referred to in regulation 61.06.1;
- (b) that the applicant is a fit and proper person within the meaning of section 69 of the Act to exercise the privileges of an aviation document in accordance with the provisions of the Act; and
- (c) complies with the applicable requirements of section 68 of the Act.

(4) The Executive Director must issue the Commercial Pilot Licence (helicopter) in the form determined by the Executive Director.

(5) The applicant of a Commercial Pilot Licence (Helicopter) must, upon receipt of the Commercial Pilot Licence (Helicopter), immediately affix his or her signature on the licence in ink in the space provided for such purpose.

Theoretical knowledge examination

61.06.3 The applicant for Commercial Pilot Licence (Helicopter) must have passed all the theoretical examinations for a Commercial Pilot Licence (Helicopter) referred to in paragraph (g) of subregulation (1) of regulation 61.06.1, within a period of 36 months preceding the skills test for a Commercial Pilot Licence (Helicopter).

Skills test

61.06.4 (1) An applicant for a Commercial Pilot Licence (Helicopter) must undergo the skill test for a Commercial Pilot Licence (Helicopter) referred to in paragraph (h) of subregulation (1) of regulation 61.06.1 within 30 days of the last period of dual instruction.

(2) An applicant for the issue of a Commercial Pilot Licence (Helicopter) must demonstrate to a designated examiner, the ability to perform as pilot-in-command of a helicopter, the procedures and manoeuvres as set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of a Commercial Pilot Licence (Helicopter).

(3) The applicant for the issue of a Commercial Pilot Licence (Helicopter) must have undergone the skills test referred to in subregulation (1) within the 90 days immediately preceding the date of application.

(4) The initial skills test referred to in subregulation (1) must be conducted in a helicopter of not less than 500 kg maximum certificated mass.

(5) The holder of a Commercial Pilot Licence (Helicopter) must have flown a minimum of three hours as pilot-in-command of helicopters in the six months preceding the relevant skills test.

Period of validity of Commercial Pilot Licence (Helicopter)

61.06.5 A Commercial Pilot Licence (Helicopter) is valid subject to the condition that:

- (a) the licence is accompanied by a valid Class 1 medical certificate as prescribed by regulation 61.06.1;
- (b) licence holder complies with the maintenance of competency in terms of regulation 61.06.8; and
- (c) the licence holder pays the currency fee prescribed in regulation 61.01.28 accompanied by certified copies of the last three pages of the logbook containing entries indicating a record of flight times, an annual summary indicating flight time per category, class, type and total time as well as certified copies of any endorsements entered into the logbook in the preceding 12 months, as required in subregulation (1) of regulation 61.01.6.

Privileges of Commercial Pilot Licence (Helicopter)

61.06.6 (1) The holder of a Commercial Pilot Licence (Helicopter) may not exercise the privileges of that licence unless he or she:

- (a) is in possession of a valid Class 1 medical certificate, issued to him or her in terms of Part 67;
- (b) has submitted a copy of the medical certificate to Authority as required in subregulation (1) of regulation 61.01.13;
- (c) complies with the maintenance of competency requirements as prescribed in regulation 61.06.8 and
- (d) satisfies the condition set out in section 68(4) of the Act.

(2) The holder of a valid Commercial Pilot Licence (Helicopter) may, by day under VMC, act as pilot-in-command or co-pilot of any helicopter for which he or she holds the appropriate valid type rating by name.

(3) The holder of a Commercial Pilot Licence (Helicopter) may fly in compliance with Special VFR conditions if, in sight of the surface and clear of cloud, fog, or mist within a control zone, after being authorised to do so by the responsible air traffic services unit.

(4) The holder of a valid Commercial Pilot Licence (Helicopter) may, in the type of helicopter for which he or she is rated, exercise the following privileges:

- (a) exercise all the privileges of a Private Pilot Licence (Helicopter);
- (b) in operations other than the carrying of passengers or freight for hire or reward act as pilot-in-command in any helicopter;
- (c) act as pilot-in-command in commercial air transport operations in any helicopter certificated for single-pilot operations;
- (d) act as co-pilot in commercial air transport operations in any helicopter required to be operated with a co-pilot; and
- (e) act as a safety pilot.

(5) The holder of the licence is entitled to exercise the privileges of the licence for any of the special purposes referred to in regulation 61.06.7, if the holder holds the appropriate valid rating.

Ratings for special purposes and certificate

61.06.7 (1) The ratings for special purposes and certificate associated with a Commercial Pilot Licence (Helicopter) are:

- (a) An Instrument Rating;
- (b) Flight Instructor Rating;
- (c) A Night Rating;
- (d) A Test Pilot Rating;
- (e) A Helicopter Sling-Load Rating;
- (f) A Helicopter Winching Rating;
- (g) A Helicopter Game or Livestock Cull Rating; and
- (h) an Agricultural Pilot Rating.

(2) An application for any rating or the certificate referred to in subregulation (1) must be made in accordance with the regulations in Subparts 18, 20, 21, 24, 25, 28, 29, 30 or 31, as the case may be.

Maintenance of competency

61.06.8 (1) The holder of a Commercial Pilot Licence (Helicopter) must undergo a revalidation check within 12 months from the date of initial issue or from the date of revalidation of the licence.

(2) The revalidation check referred to in subregulation (1) must be completed within 90 days prior to expiry of the class or type rating of the licence.

(3) The holder of a Commercial Pilot Licence (Helicopter) may not act as pilot-in-command of a helicopter transporting passengers by day, unless he or she has, within the 90 days immediately preceding the flight executed not less than three circuits, including take-off and landing, in a helicopter of the same type or a similar type or in an approved FSTD.

(4) The holder of a Commercial Pilot Licence (Helicopter) may not act as pilot-in-command of a helicopter transporting passengers by night, unless he or she:

- (a) holds a night rating; and
- (b) has, within the 90 days immediately preceding the flight executed not less than three circuits, including three take-offs and three landings, by night in a helicopter of the same type or a similar type or in an approved FSTD,

Provided that if the holder complies with the provisions of this subregulation such holder is exempted from the provisions of subregulation (2).

(5) The holder of a Commercial Pilot Licence (Helicopter) may not act as pilot-in-command of a helicopter under IFR or in weather conditions less than the minimum prescribed for VFR, unless he or she holds a valid Instrument Rating and within the 90 days immediately preceding such flight, he or she has, by means of an instrument approach procedure or procedures, which have been approved by the Executive Director or by an appropriate authority:

- (a) executed at least two instrument approaches in an approved FSTD or in a helicopter, in IMC or simulated IMC; or
- (b) undergone the skills test referred to in regulation 61.18.5.

(6) The holder of a Commercial Pilot Licence (Helicopter) who has not maintained competency by passing a revalidation check or an initial licence skills test in the same category of aircraft within the 12 months following the issue or revalidation of such licence must comply with the following requirements:

- (a) in the case of a holder of a commercial pilot licence where the maintenance of competency has lapsed by less than 36 months, the licence holder is required to:
 - (i) undergo a minimum of one period of dual flight instruction and fly at least three hours as pilot-in-command; and
 - (ii) pass a revalidation check in the same category of aircraft;
- (b) in the case of a holder of a commercial pilot licence where the maintenance of competency has lapsed by more than 36 months, the licence holder is required to:
 - (i) rewrite the air law examination;

- (ii) undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of a CPL (helicopter), and meet the recency requirements to act as PIC; and
- (iii) pass an initial licence skills test in the same category of aircraft.

(7) The holder of a CPL (helicopter) who has not flown a minimum of three hours as either PIC or PICUS or six hours as co-pilot in the six months preceding a revalidation check, must undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of a CPL (helicopter), and meet the recency requirements to act as PIC.

Recency requirements for a Commercial Pilot Licence (Helicopter)

61.06.9 The holder of a Commercial Pilot Licence (Helicopter) must comply with the recency requirements referred to in Part 91.

SUBPART 7 AIRLINE TRANSPORT PILOT LICENCE (AEROPLANE)

Requirements for Airline Transport Pilot Licence (Aeroplane)

61.07.1 (1) An applicant for the issue of an Airline Transport Pilot Licence (Aeroplane) must:

- (a) be 21 years of age or older;
- (b) hold a valid Class 1 medical certificate issued in terms of Part 67;
- (c) hold a valid general radiotelephony operator's certificate;
- (d) produce satisfactory evidence of holding or having held within the previous 60 months a valid Instrument Rating and any of the following:
 - (i) a valid Namibian Commercial Pilot Licence (Aeroplane);
 - (ii) a valid pilot licence (aeroplane) issued by an appropriate authority;
 - (iii) a valid Namibian Air Force pilot qualification (aeroplane);
 - (iv) a valid Student Pilot Licence where the applicant has completed an integrated training course approved by the Executive Director;
- (e) hold an English Language Proficiency certification set out in Document NAM-CATS-FCL-61;
- (f) have successfully completed the training as set out in Document NAM-CATS-FCL 61 at an approved ATO;
- (g) have passed the theoretical knowledge examination as set out in Document NAM-CATS-FCL 61 referred to in regulation 61.07.3;
- (h) have undergone the skills test referred to in regulation 61.07.4; and
- (i) have, within the previous 60 months, completed a multi-crew cooperation course.

(2) An applicant for the issue of an Airline Transport Pilot Licence (Aeroplane) must have completed, in aeroplanes, not less than 1500 hours of flight time, of which -

- (a) 500 hours must be pilot-in-command-under-supervision; or
- (b) 250 hours must be as pilot-in-command of which up to 150 hours may be pilot-in-command-under-supervision; and
- (c) 200 hours must be cross-country flight time, of which 100 hours may be as co-pilot or as pilot in command under supervision;
- (d) 75 hours must be instrument time, of which not more than 30 hours may be acquired in a FSTD approved for this purpose;
- (e) 100 hours must be night flight time as pilot-in-command; and
- (f) not more than 100 hours of the total flight time may be acquired in an approved FSTD.

(3) For the purposes of subregulation (2), in the case of single-pilot aeroplanes operated by two pilots according to operational requirements as approved by the Executive Director, both pilots must have successfully completed the multi-crew co-operation training as specified in this Part.

(4) The 1500 hours flying experience referred to in subregulation (2) may comprise flight time in any of the following capacities:

- (a) as pilot-in-command, counted in full;
- (b) as pilot under instruction (dual), counted in full;
- (c) as co-pilot performing under the supervision of the pilot-in-command the functions and duties of the pilot-in-command, counted in full up to a maximum of 500 hours, provided both pilots have completed multi-crew cooperation training;
- (d) as an appropriately rated co-pilot, counted in full;
- (e) as student pilot-in-command and as student pilot-in-command-under-supervision up to a maximum of 50 hours towards the pilot-in-command time required for the issue of an Airline Transport Pilot Licence (Aeroplane), counted in full: Provided that the approved ATO has been authorised by the Executive Director to allow the logging of student pilot-in-command-under-supervision flight time;
- (f) a maximum of 100 hours may have been completed in an approved FSTD of which a maximum of 25 hours may have been completed in a flight procedures trainer 1 (FNPT 1), or if the training is provided in an integrated training course, 40 hours in an FNPT II, which may include 10 hours in an FNPT 1;
- (g) up to 50 per cent of the 1500 hours and each of the requirements specified in subregulation (2)(a),(b),(c),(d) and (e) may be completed in helicopters; and
- (h) a maximum of 30 hours flight time in touring motor gliders, gliders, micro light aircraft (excluding a weight-shift micro light aeroplane, or an aeroplane with a maximum take-off mass of less than 450 kg), may be counted towards the 1500 hours experience requirement.

(5) A Namibia Air Force pilot flight instructor or a Namibia Air Force navigator applying for an Airline Transport Licence (Aeroplane) instructor may apply for equivalency crediting for some or all of these requirements as indicated in regulation 61.01.11.

Application for, and issue of, an Airline Transport Pilot Licence (Aeroplane)

61.07.2 (1) An application for an Airline Transport Pilot Licence (Aeroplane) must be made to the Executive Director on the appropriate form set out in Document NAM-CATS-FCL 61 within 30 days after the date of the skills test.

(2) The application referred to in subregulation (1) must be accompanied by:

- (a) a valid Class 1 medical certificate, issued in terms of Part 67;
- (b) acceptable documentary evidence of compliance with paragraphs (d) and (e) of regulation 61.07.1(1);
- (c) the original documentation or certified copies of the documents proving that the applicant has passed the theoretical knowledge examination referred to in regulation 61.01.7 and paragraph (g) of subregulation (1) of regulation 61.07.1;
- (d) the applicant's flying logbook summarised in the form set out in Document NAM-CATS-FCL 61;
- (e) the skills test report set out in Document NAM-CATS-FCL 61;
- (f) two recent passport-size photographs of the applicant, unless such applicant is the holder of another pilot licence issued in terms of Part 61; and
- (g) the appropriate fee as prescribed in Part 187.

(3) The Executive Director must issue an Airline Transport Pilot Licence (Aeroplane), if he or she is satisfied:

- (a) that the applicant complies with the requirements referred to in regulation 61.07.1;
- (b) that the applicant is a fit and proper person within the meaning of section 69 of the Act to exercise the privileges of an aviation document in accordance with the provisions of the Act; and
- (c) complies with the applicable requirements of section 68 of the Act.

(4) The Executive Director must issue the Airline Transport Pilot Licence (Aeroplane) in the form determined by the Executive Director.

(5) The holder of an Airline Transport Pilot Licence (Aeroplane) must, upon receipt of the Airline Transport Pilot Licence (Aeroplane), immediately affix his or her signature on the licence in ink in the space provided for such purpose.

Theoretical knowledge examination

61.07.3 (1) Applicant who obtains a credit or a pass for the Airline Transport Pilot Licence (Aeroplane) (ATPL/A) subjects has 36 months to obtain an Instrument Rating (IR).

(2) The ATPL/A subjects referred to in subregulation (1) are valid for a period of 60 months from the date of expiry of the last Instrument Flying Revalidation Check.

(3) If an applicant has previously passed all ATPL/A theoretical knowledge examinations but was not issued with an Instrument Rating within the 36 month period, the amount of credit to be given for the ATPL theoretical knowledge instruction will be at the discretion of the Executive Director, and this discretion must be exercised lawfully.

Skills test

61.07.4 (1) An applicant for the issue of an Airline Transport Pilot Licence (Aeroplane) must demonstrate to a designated examiner, the ability to perform as pilot-in-command of an aeroplane, the procedures and manoeuvres set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of an Airline Transport Pilot Licence (Aeroplane).

(2) The applicant must have undergone the skills test referred to in subregulation (1) within 60 months of passing the theoretical knowledge examination referred to in regulation 61.07.3 and within the 90 days immediately preceding the date of application.

(3) The skills test referred to in subregulation (1) must have been conducted in a multi-engine aeroplane, which is required to be operated with a co-pilot and which has:

- (a) variable pitch propellers, adjustable flaps and retractable undercarriage;
- (b) turbine engines, or
- (c) an approved FSTD.

Period of validity of Airline Transport Pilot Licence (Aeroplane)

61.07.5 An Airline Transport Pilot Licence (Aeroplane) is valid subject to the condition that:

- (a) the licence is accompanied by a valid Class 1 medical certificate as prescribed by regulation 61.07.1;
- (b) the licence holder complies with the maintenance of competency in terms of regulation 61.07.8 annually; and
- (c) the licence holder pays the currency fee prescribed in regulation 61.01.28 accompanied by certified copies of the last three pages of the logbook containing entries indicating a record of flight times, an annual summary indicating flight time per category, class, type and total time as well as certified copies of any endorsements entered into the logbook in the preceding 12 months, as required in subregulation (1) of regulation 61.01.6.

Privileges of Airline Transport Pilot Licence (Aeroplane)

61.07.6 (1) The holder of an Airline Transport Pilot Licence (Aeroplane) may not exercise the privileges of the licence unless he or she:

- (a) is in possession of a valid Class 1 medical certificate, issued to him or her in terms of Part 67;
- (b) has submitted a copy of the medical certificate to the Authority as required in subregulation (1) of regulation 61.01.13;
- (c) complies with the requirements for maintenance of competency in 61.07.8; and

(d) satisfies the condition set out in section 68(4) of the Act.

(2) The holder of a valid Airline Transport Pilot Licence (Aeroplane) is entitled to:

- (a) exercise all the privileges of a private and Commercial Pilot Licence (Aeroplane);
- (b) act as pilot-in-command of an aeroplane engaged in air transport operations; and
- (c) exercise all the privileges referred to in this regulation.

(3) The holder of the licence is entitled to exercise the privileges of the licence for any of the special purposes referred to in regulation 61.07.7, if the holder holds the appropriate valid rating and otherwise meets the requirements of subregulation (1).

(4) Subject to paragraph (c) of subregulation (1), the holder of an Airline Transport Pilot Licence (Aeroplane) may not exercise any of the privileges of his or her licence unless such holder has undergone, at any time during the preceding 12 months, a skills test for the issue of a type rating or an Airline Transport Pilot Licence (Aeroplane) revalidation check.

(5) The Authority must endorse on the Airline Transport Pilot Licence (Aeroplane) licence any limitation of privileges of that licence.

Ratings for special purposes and certificate

61.07.7 (1) The ratings for special purposes and the certificate associated with an Airline Transport Pilot Licence (Aeroplane) are:

- (a) A Flight Instructor Rating;
- (b) A Test Pilot Rating;
- (c) A Tug Pilot Rating;
- (d) An Aerobatics Rating;
- (e) A Tow Rating; and
- (f) An Agricultural Pilot Rating.

(2) An application for any rating or the certificate referred to in subregulation (1) must be made in accordance with the regulations in Subparts 19, 20, 21, 23, 25, 26, 27, 31 or 33, as the case may be.

Maintenance of competency

61.07.8 (1) The holder of an Airline Transport Pilot Licence (Aeroplane) must undergo a revalidation check within a period of 12 months from the date of issue or the date of revalidation.

(2) The revalidation check referred to in subregulation (1) must be completed within 90 days prior to expiry of the class or type rating of the licence.

(3) The holder of an Airline Transport Pilot Licence (Aeroplane) may not act as pilot-in-command of an aeroplane transporting passengers by day, unless he or she has, within the 90 days immediately preceding the flight executed not less than three take-offs and three landings in an aeroplane of the same type or a similar type or in an approved FSTD.

(4) The holder of an Airline Transport Pilot Licence (Aeroplane) may not act as pilot-in-command of an aeroplane transporting passengers by night, unless he or she has, within the 90 days immediately preceding the flight executed not less than three take-offs and three landings by night in an aeroplane of the same type or a similar type, or in an approved FSTD Provided that if the holder complies with the provisions of this subregulation, such holder is exempted from the provisions of subregulation (2).

(5) The holder of an Airline Transport Pilot Licence (Aeroplane) may not act as pilot-in-command of an aeroplane under IFR or in weather conditions less than the minimum prescribed for VFR, unless he or she is the holder of a valid Instrument Rating and within the 90 days immediately preceding such flight, he or she has, by means of an instrument approach procedure or procedures, which have been established by the Executive Director or by an appropriate authority:

- (a) executed at least two instrument approaches in an approved FSTD or in an aeroplane, in IMC or simulated IMC; or
- (b) undergone the skill test referred to in regulation 61.18.5.

(6) The holder of an Airline Transport Pilot Licence (Aeroplane) who has not maintained competency by passing a revalidation check or an initial licence skills test in the same category of aircraft within the 12 months following the issue or revalidation of such licence must comply with the following requirements:

- (a) in the case of a holder of an Airline Transport Pilot Licence where the maintenance of competency has lapsed by less than 36 months, the licence holder is required to:
 - (i) undergo a minimum of one period of dual flight instruction; and
 - (ii) pass a revalidation check in the same category of aircraft.
- (b) in the case of a holder of an Airline Transport Pilot Licence where the maintenance of competency has lapsed by more than 36 months, the licence holder is required to:
 - (i) rewrite the air law and operational procedures examination;
 - (ii) undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of a ATPL (Aeroplane), and meet the recency requirements to act as PIC; and
 - (iii) pass an initial licence skills test in the same category of aircraft.

(7) The holder of an ATPL (Aeroplane) who has not flown a minimum of three hours as either PIC or PICUS, or six hours as co-pilot in the six months preceding a revalidation check, must undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of a ATPL (Aeroplane), and meet the recency requirements to act as PIC.

Recency requirements for an Airline Transport Pilot Licence (Aeroplane)

61.07.9 The holder of an Airline Transport Pilot Licence (Aeroplane) must comply with the recency requirements referred to in Part 91.02.4.

SUBPART 8 AIRLINE TRANSPORT PILOT LICENCE (HELICOPTER)**Requirements for Airline Transport Pilot Licence (Helicopter)**

61.08.1 (1) An applicant for the issue of an Airline Transport Pilot Licence (Helicopter) must:

- (a) be 21 years of age or older;
- (b) hold a valid Class 1 medical certificate issued in terms of Part 67;
- (c) hold a valid radiotelephony operator's licence;
- (d) produce acceptable evidence of holding or having held, within the previous 60 months, an Instrument Rating and any of the following:
 - (i) a valid Namibian Private Pilot Licence (Helicopter);
 - (ii) a valid pilot licence (helicopter) issued by an appropriate authority;
 - (iii) a valid Namibian Air Force pilot qualification (helicopter); or
 - (iv) a valid Student Pilot Licence where the applicant has completed an integrated training course approved by the Authority;
- (e) have, within the previous 60 months, completed a multi-crew cooperation course;
- (f) hold an English Language Proficiency certification set out in Document NAM-CATS-FCL-61;
- (g) have successfully completed the training set out in Document NAM-CATS-FCL 61 at an approved ATO;
- (h) have passed the theoretical knowledge examination set out in Document NAM-CATS-FCL 61; and
- (i) have undergone the skill test referred to in regulation 61.08.4.

(2) An applicant for the issue of an Airline Transport Pilot Licence (Helicopter) must have completed, in helicopters, not less than 1000 hours of flight time, of which:

- (a) 250 hours must be as pilot-in-command of which up to 70 hours may be as pilot-in-command under the supervision of the pilot-in-command;
- (b) 200 hours must be cross-country flight time, of which up to 100 hours may be as pilot-in-command under supervision or as co-pilot;
- (c) 30 hours must be instrument instruction time, of which not more than 10 hours may be instrument ground time and not more than 10 hours may be acquired in a helicopter FSTD approved for that purpose by the Executive Director;
- (d) 50 hours must be night flight time as pilot-in-command or co-pilot; and
- (e) not more than 100 hours of total flight time may be acquired in a FSTD.

(3) The 1000 hours flying experience referred to in subregulation (2) may comprise flight time in any of the following capacities:

- (a) as pilot-in-command, counted in full;
- (b) as pilot under instruction (dual), counted in full;
- (c) as co-pilot performing under the supervision of the pilot-in-command the functions and duties of the pilot-in-command, counted in full up to a maximum of 250 hours: Provided that both pilots have completed multi-crew cooperation training;
- (d) as an appropriately rated co-pilot, counted in full;
- (e) as student pilot-in-command and as student pilot-in-command-under-supervision up to a maximum of 50 hours towards the pilot-in-command time required for the issue of an Airline Transport Pilot Licence (Helicopter), counted in full: Provided that the approved ATO, has been authorised by the Executive Director to allow the logging of student pilot-in-command-under-supervision flight time;
- (f) a maximum of 100 hours may have been completed in an approved FSTD of which a maximum of 25 hours may have been completed in a flight procedures trainer 1 (FNPT 1), or, where the training is provided in an integrated training course, 40 hours in an FNPT II, which may include 10 hours in an FNPT 1; or
- (g) up to 50 per cent of the 1000 hours and each of the requirements specified in paragraphs (a), (b), (c), (d) and (e) of subregulation (2) may be completed in aeroplanes.

(4) A Namibia Air Force pilot flight instructor or a Namibia Air Force navigator instructor applying for Airline Transport Licence (Helicopter) may apply for equivalency crediting for some or all of these requirements as indicated in regulation 61.01.11.

Application for, and issue of, an Airline Transport Pilot Licence (Helicopter)

61.08.2 (1) An application for an Airline Transport Pilot Licence (Helicopter) must be made to the Executive Director on the appropriate form set out in Document NAM-CATS-FCL 61 within 30 days of the skills test.

- (2) The application referred to in subregulation (1) must be accompanied by:
 - (a) a valid Class 1 medical certificate, issued in terms of Part 67;
 - (b) documentary evidence of compliance with paragraphs (d), (e) and (f) of subregulation (1) of regulation 61.08.1;
 - (c) the original documentation or certified copies of the documents proving that the applicant has passed the theoretical knowledge examination referred to in regulation 61.01.7 and paragraph (h) of subregulation (1) of regulation 61.08.1;
 - (d) the applicant's flying logbook summarised in the form as set out in the Document NAM-CATS-FCL 61;
 - (e) the skills test report set out in NAM-CATS-FCL 61;

- (f) two recent passport-size photographs of the applicant, unless such applicant is the holder of another pilot licence issued in terms of this Part; and
 - (g) the appropriate fee as prescribed in Part 187.
- (3) The Executive Director must issue an Airline Transport Pilot Licence (Helicopter), if he or she is satisfied:
- (a) that the applicant complies with the requirements referred to in regulation 61.08.1;
 - (b) that the applicant is a fit and proper person within the meaning of section 69 of the Act to exercise the privileges of an aviation document in accordance with the provisions of the Act; and
 - (c) complies with the applicable requirements of section 68 of the Act.
- (4) The Executive Director must issue the Airline Transport Pilot Licence (Helicopter) in the appropriate form determined by the Executive Director.
- (5) An applicant for an Airline Transport Pilot Licence (Helicopter) must, upon receipt of the Airline Transport Pilot Licence (Helicopter), immediately affix his or her signature on the licence in ink in the space provided for such purpose.

Theoretical knowledge examination

- 61.08.3** (1) Applicants for the issue of APTL who obtain credit or a pass for the ATPL subjects have 36 months to obtain an Instrument Rating on helicopters.
- (2) The relevant ATPL subjects referred to in subregulation (1) remain valid for a period of 60 months from the date of expiry of the last Instrument Flying revalidation check.
- (3) If an applicant for the issue of APTL has previously passed all ATPL theoretical knowledge examinations but was not issued with an ATPL within the 36 month period, the amount of credit to be given for the ATPL theoretical knowledge instruction will be at the discretion of the Executive Director, which discretion must be exercised lawfully.

Skills test

- 61.08.4** (1) An applicant for the issue of an Airline Transport Pilot Licence (Helicopter) must demonstrate to a designated examiner, the ability to perform as pilot-in-command of a helicopter certificated for a minimum of 2 pilots, the procedures and manoeuvres set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of an Airline Transport Pilot Licence (Helicopter).
- (2) The applicant must have undergone the skills test referred to in subregulation (1) within the 90 days immediately preceding the date of application.
- (3) The skills test referred to in subregulation (1) may be conducted in an approved FSTD for a helicopter.
- (4) The skills test referred to in subregulation (1) may serve as a skills test for the issue of the Airline Transport Licence (Helicopter) licence and an initial type rating for the helicopter used in the test.

Period of validity of Airline Pilot Licence (Helicopter)

61.08.5 An Airline Transport Pilot Licence (Helicopter) is valid subject to the condition that:

- (a) the licence is accompanied by a valid Class 1 medical certificate as prescribed in regulation 61.08.1;
- (b) the licence holder annually complies with the maintenance of competency in terms of regulation 61.08.8;
- (c) the licence holder holds a valid Instrument Rating; and
- (d) the licence holder pays the currency fee prescribed in regulation 61.01.28 accompanied by certified copies of the last three pages of the logbook containing entries indicating a record of flight times, an annual summary indicating flight time per category, class, type and total time as well as certified copies of any endorsements entered into the logbook in the preceding 12 months, as required in subregulation (10) of regulation 61.01.6.

Privileges of Airline Transport Pilot Licence (Helicopter)

61.08.6 (1) The holder of an Airline Transport Pilot Licence (Helicopter) may not exercise the privileges of that licence unless he or she:

- (a) is in possession of a valid Class 1 medical certificate, issued to him or her in terms of Part 67;
- (b) has submitted a copy of the medical certificate to the Authority as required in subregulation (1) of regulation 61.01.13;
- (c) complies with the maintenance of competency requirements as prescribed in regulation 61.08.8; and
- (d) satisfies the condition set out in section 68(4) of the Act.

(2) Subject to subregulation (1) the holder of a valid Airline Transport Pilot Licence (Helicopter) is entitled to:

- (a) exercise all the privileges of a private and Commercial Pilot Licence (Helicopter); and
- (b) act as pilot-in-command of a helicopter engaged in commercial air transport operations, in any helicopter for which he or she holds the appropriate type rating and subject to regulation 61.08.8.

(3) Subject to subregulation (1) the holder of the licence is entitled to exercise the privileges of the licence for any of the special purposes referred to in regulation 61.08.7, if the holder holds the appropriate valid rating.

(4) The holder of an Airline Transport Pilot Licence (Helicopter) may not exercise any of the privileges of his or her licence unless such holder has undergone, at any time during the preceding 12 months, a skills test for the issue of a type rating or an Airline Transport Pilot Licence (Helicopter) or Instrument Rating revalidation check.

- (5) The Authority must endorse on the ATPL any limitation of privileges on the ATPL.

Ratings for special purposes and certificate

61.08.7 (1) The ratings for special purposes and certificate associated with an Airline Transport Pilot Licence (Helicopter) are:

- (a) a Flight Instructor Rating;
- (b) a Night Rating;
- (c) a Test Pilot Rating;
- (d) a Helicopter Sling-Load Rating;
- (e) a helicopter winching rating;
- (f) a Helicopter Game or Livestock Cull Rating ; and
- (g) an Agricultural Pilot Rating.

(2) An application for any rating or the certificate referred to in subregulation (1) must be made in accordance with the regulations in Subparts 19, 20, 21, 25, 28, 29, 30 or 31, as the case may be.

Maintenance of competency

61.08.8 (1) The holder of an Airline Transport Pilot Licence (Helicopter) must undergo a revalidation check within a period of 12 months calculated from the date of issue or the date of revalidation.

(2) The revalidation check referred to in subregulation (1) must be completed within 90 days prior to expiry of the class or type rating of the licence.

(3) The holder of an Airline Transport Pilot Licence (Helicopter) may not act as pilot-in-command of a helicopter transporting passengers by day, unless he or she has, within the 90 days immediately preceding the flight, executed not less than three circuits, including take-off and landing, in a helicopter of the same type or a similar type or in an approved FSTD.

(4) The holder of an Airline Transport Pilot Licence (Helicopter) may not act as pilot-in-command of a helicopter transporting passengers by night, unless he or she:

- (a) holds a night rating; and
- (b) has, within the 90 days immediately preceding the flight executed not less than three circuits, including three take-offs and three landings, by night in a helicopter of the same type or a similar type; or in an approved FSTD,

Provided that if the holder complies with the provisions of this subregulation, such pilot is exempted from the provisions of subregulation (2).

(5) The holder of an Airline Transport Pilot Licence (Helicopter) may not act as pilot-in-command of a helicopter under IFR or in weather conditions less than the minimum prescribed for VFR, unless he or she is the holder of a valid Instrument Rating and, within the 90 days immediately preceding such flight, he or she has, by means of an instrument approach procedure or procedures, which have been established by the Authority:

- (a) executed at least two instrument approaches in an approved FSTD or in a helicopter, in IMC or simulated IMC; or
- (b) undergone the skills test referred to in regulation 61.18.5.

(6) The holder of an Airline Transport Pilot Licence (Helicopter) who has not maintained competency by passing a revalidation check or an initial licence skills test in the same category of aircraft within the 12 months following the issue or revalidation of such licence must comply with the following requirements:

- (a) in the case of a holder of an Airline Transport Pilot Licence where the maintenance of competency has lapsed by less than 36 months, the licence holder is required to:
 - (i) undergo a minimum of one period of dual flight instruction and fly at least three hours as pilot-in-command; and
 - (ii) pass a revalidation check in the same category of aircraft;
- (b) in the case of a holder of an Airline Transport Pilot Licence where the maintenance of competency has lapsed by more than 36 months, the licence holder is required to:
 - (i) rewrite the air law and operational procedures examination;
 - (ii) undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of a ATPL (Helicopter), and meet the recency requirements to act as PIC; and
 - (iii) pass an initial licence skills test in the same category of aircraft.

(7) The holder of an ATPL (Helicopter) who has not flown a minimum of three hours as either PIC or PICUS or six hours as co-pilot in the six months preceding a revalidation check, must undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of an ATPL (Helicopter), and meet the recency requirements to act as PIC.

Recency requirements for an Airline Transport Pilot Licence (Helicopter)

61.08.9 The holder of an Airline Transport Pilot Licence (Helicopter) must comply with the recency requirements referred to in Part 91.

SUBPART 9 PRIVATE PILOT LICENCE (POWERED-LIFT)

Requirements for Private Pilot Licence (Powered-lift)

61.09.1 (1) An applicant for the issue a Private Pilot Licence (Powered-lift):

- (a) must be 17 years of age or older;
- (b) must hold a valid Class 1 or 2 medical certificate issued in terms of Part 67;
- (c) must hold a valid restricted radiotelephony operator's licence;
- (d) must show acceptable evidence of holding a valid Student Pilot Licence or having held, within the previous 60 months, any of the following:
 - (i) a pilot licence (aeroplane) issued by an appropriate authority;

- (ii) a Namibian Air Force pilot qualification (powered-lift); or
 - (iii) a Recreational Pilot Licence issued in terms of Part 62;
 - (e) must hold an English Language Proficiency certification set out in Document NAM-CATS-FCL-61;
 - (f) must have successfully completed the training set out in Document NAM-CATS-FCL 61 at an approved ATO;
 - (g) must have successfully passed the theoretical knowledge examination set out in Document NAM-CATS-FCL 61; and
 - (h) must have undergone the skills test referred to in regulation 61.09.4.
- (2) The applicant for a Private Pilot Licence (Powered Lift) must have completed not less than 45 hours of flight time with an approved ATO as a pilot of a powered-lift of which:
- (a) at least 25 hours are dual instruction in powered-lifts which include five hours instrument instruction time; and
 - (b) at least 15 hours are accumulated in solo flight and the solo flight must include at least five hours cross-country flight time and the said cross country flight time must include one triangular cross-country flight of at least 150 NM, on which at least one point must be not less than 50 NM from base and must include full-stop landings at two different aerodromes away from base;
 - (c) a maximum of five hours dual instruction time may be in an approved FSTD.
- (3) Namibia Air Force pilots may apply to the Executive Director for equivalency crediting for some or all of these requirements as indicated in regulation 61.01.11.
- (4) Despite subregulation (2), the experience required for the holder of a Glider or Gyroplane Pilot Licence or of a Recreational Pilot Licence endorsed with the category microlight aeroplane, may be substituted by the experience obtained to the maximum specified in regulation 61.01.20.

Application for, and issue of, a Private Pilot Licence (Powered-lift)

61.09.2 (1) An application for a Private Pilot Licence (Powered-lift) must be made to the Executive Director on the appropriate form as set out in Document NAM-CATS-FCL 61 within 30 days of the satisfactory completion of the skills test.

- (2) The application referred to in subregulation (1) must be accompanied by:
 - (a) a valid Class 1 or Class 2 medical certificate, issued in terms of Part 67;
 - (b) documentary evidence of compliance with paragraphs (d) and (e) of subregulation (1) of regulation 61.09.1;
 - (c) the original documentation proving that the applicant has passed the theoretical knowledge examination referred to in paragraph (g) of subregulation (1) of regulation 61.09.1;

- (d) the applicant's flying logbook summarised in the form set out in Document NAM-CATS-FCL 61;
 - (e) the skills test report as set out in Document NAM-CATS-FCL 61;
 - (f) two recent passport-size photographs of the applicant, unless such applicant is the holder of another pilot licence issued in terms of Part 61; and
 - (g) the appropriate fee as prescribed in Part 187.
- (3) The Executive Director must issue a Private Pilot Licence (Powered-lift), if he or she is satisfied:
- (a) that the applicant complies with the requirements referred to in regulation 61.09.1;
 - (b) that the applicant is a fit and proper person within the meaning of section 69 of the Act to exercise the privileges of an aviation document in accordance with the provisions of the Act; and
 - (c) complies with the applicable requirements of section 68 of the Act.
- (4) The Private Pilot Licence (Powered-lift) must be issued in the appropriate form determined by the Executive Director.
- (5) The holder of a Private Pilot Licence (Powered-lift) must, upon receipt of the Private Pilot Licence (Powered-lift), immediately affix his or her usual signature on the licence in ink in the space provided for such purpose.

Theoretical knowledge examination

61.09.3 An applicant for the issue of a Private Pilot Licence (Powered-lift) must have passed the appropriate written examination referred to in paragraph (g) of subregulation (1) of regulation 61.09.1 within a period of 12 months and have passed the last theoretical knowledge examination within six months preceding the skills test for a Private Pilot Licence (Powered-lift).

Skills test

61.09.4 (1) An applicant for the issue of a Private Pilot Licence (Powered-lift) must demonstrate the ability to perform as pilot-in-command of a powered-lift, the procedures and manoeuvres set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of a Private Pilot Licence (Powered-lift) to:

- (a) a Chief Flying Instructor (Powered-lift) of an approved ATO, with an examiner designation; or
 - (b) a Grade II or I flight instructor (Powered-lift) appointed in terms of Document NAM-CATS-FCL 61 by the Chief Flying Instructor of an approved ATO, with an examiner designation.
- (2) The applicant for a Private Pilot Licence (Powerlift) must have undergone the skills test referred to in subregulation (1) within the 90 days immediately preceding the date of application.
- (3) The holder of a Private Pilot Licence (Powered-lift) must have flown a minimum of three hours as pilot-in-command of powered-lifts in the six months preceding the relevant skills test.

(4) The skills test referred to in subregulation (1) must be conducted in an aircraft with a maximum certificated mass of more than 450 kg.

Period of validity of Private Pilot Licence (Powered-lift)

61.09.5 A Private Pilot Licence (Powered-lift) is valid subject to the condition that:

- (a) the licence is accompanied by a valid medical certificate as prescribed in regulation 61.09.01;
- (b) the licence holder complies with the maintenance of competency in terms of regulation 61.09.8 annually; or
- (c) the licence holder pays the currency fee prescribed in regulation 61.01.28 accompanied by certified copies of the last 3 pages of the logbook containing entries indicating a record of flight times, an annual summary indicating flight time per category, class, type and total time as well as certified copies of any endorsements entered into the logbook in the preceding 12 months, as required in subregulation (1) of 61.01.6.

Privileges of Private Pilot Licence (Powered-lift)

61.09.6 (1) For the purpose of this regulation “remuneration” does not include the pro rata sharing of the direct operating costs of a flight among the passengers of a powered-lift, in which case the flight is deemed to be a non-revenue flight.

(2) The holder of a Private Pilot Licence (Powered-lift) may not exercise the privileges of that licence unless he or she:

- (a) holds a valid Class 1 or 2 medical certificate issued in terms of Part 67;
- (b) has submitted a copy of the medical certificate to the Authority as required in subregulation (1) of regulation 61.01.13;
- (c) complies with the requirements for maintenance of competency in regulation 61.09.8, and
- (d) satisfies the condition set out in section 68(4) of the Act.

(3) The holder of a valid Private Pilot Licence (Powered-lift) may, by day under VMC, act as pilot-in-command or co-pilot (as specified in regulation 61.09.6 (b) of any powered-lift for which he or she holds the appropriate valid class rating or type rating by name.

(4) The holder of a Private Pilot Licence (Powered-lift) may fly in compliance with IFR or in IMC, in sight of the surface and clear of cloud, fog, mist within a control zone, after being authorised to do so by the responsible air traffic services unit.

(5) Subject to paragraph (d) of subregulation (1) the holder of the licence is entitled to exercise the privileges of the licence for any of the special purposes referred to in regulation 61.09.7, if the holder holds the appropriate valid rating.

(6) The holder of a Private Pilot Licence (Powered-lift):

- (a) may act as co-pilot of any powered-lift on which a co-pilot is not a requirement;

- (b) may not act as pilot-in-command of a powered-lift that is carrying passengers or freight for reward or hire;
- (c) may not be remunerated for acting in any pilot capacity in a powered-lift; and
- (d) may act as a pilot-in command of a powered-lift in the course of his or her own or employer's business: Provided that:
 - (i) the flight is only incidental to that business or employment; and
 - (ii) the powered-lift does not carry passengers or freight for hire or reward.

Ratings for special purposes

61.09.7 (1) The ratings for special purposes associated with a Private Pilot Licence (Powered-lift) are:

- (a) an Instrument Rating;
- (b) a Night Rating;
- (c) a Post Maintenance Test Flight Rating;
- (d) a Tug Pilot Rating;
- (e) an Agricultural Pilot Rating;
- (f) an aerobatics rating; and
- (g) a Tow Rating.

(2) An application for any rating referred to in subregulation (1) must be made in accordance with the regulations in Subpart 18, 24, 25, 26, 27, 31 or 33, as the case may be.

Maintenance of competency

61.09.8 (1) The holder of a Private Pilot Licence (Powered-lift) must undergo a revalidation check within 12 months from the date of initial issue of the licence and after that a revalidation check within a period of 24 months calculated from the date of revalidation.

(2) The revalidation check referred to in subregulation (1) must be completed within 90 days prior to expiry of the class or type rating of the licence.

(3) The holder of a Private Pilot Licence (Powered-lift) may not act as pilot-in-command of a powered-lift with passengers on board by day, unless he or she has, within the 90 days immediately preceding the flight executed not less than three take-offs and three landings in a powered-lift of the same type or similar type or in an approved FSTD appropriate to the type.

(4) The holder of a Private Pilot Licence (Powered-lift) may not act as pilot-in-command of a powered-lift with passengers on board by night, unless he or she:

- (a) holds a night rating; and
- (b) has, within the 90 days immediately preceding the flight executed not less than three take-offs and three landings by night in a powered-lift of the same type or similar type or in an approved FSTD appropriate to the type,

Provided that if the holder complies with the provisions of this subregulation, such holder is exempted from the provisions of subregulation (2).

(5) The holder of a Private Pilot Licence (Powered-lift) may not act as pilot-in-command of a powered-lift under IFR or in weather conditions less than the minimum prescribed for VFR, unless he or she is the holder of a valid Instrument Rating and, within the 90 days immediately preceding such flight, he or she has, by means of an instrument approach procedure or procedures established by the Authority or by an appropriate authority:

- (a) executed at least two instrument approaches in an approved FSTD, or in a powered-lift, in IMC or simulated IMC; or
- (b) undergone the skills test referred to in regulation 61.18.5.

(6) The holder of a Private Pilot Licence (Powered-lift) who has not maintained competency by passing a revalidation check in the same category of aircraft within 12 months following the initial issue or a revalidation check in the same category of aircraft within the 24 months following the revalidation of such licence must comply with the following requirements:

- (a) in the case of a holder of a private pilot licence where the maintenance of competency has lapsed by less than 36 months, the licence holder is required to:
 - (i) undergo a minimum of one period of dual flight instruction and fly at least three hours as pilot-in-command; and
 - (ii) pass a revalidation check in the same category of aircraft; and
- (b) in the case of a holder of a private pilot licence where the maintenance of competency has lapsed by more than 36 months, the licence holder is required to -
 - (i) rewrite the air law examination;
 - (ii) undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of a PPL (Powered-lift), and meet the recency requirements to act as PIC; and
 - (iii) pass an initial licence skills test in the same category of aircraft.

(7) The holder of a Private Pilot Licence (Powered-lift) who has not flown a minimum of three hours as PIC of helicopters in the six months preceding a revalidation check must undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of a Private Pilot Licence (Powered-lift), and meet the recency requirements to act as PIC.

Recency requirements for a Private Pilot Licence (Powered-lift)

61.09.9 The holder of a Private Pilot Licence (Powered-lift) must comply with the recency requirements referred to in Part 91.

SUBPART 10 COMMERCIAL PILOT LICENCE (POWERED-LIFT)

Requirements for Commercial Pilot Licence (Powered-lift)

61.10.1 (1) An applicant for the issue of a Commercial Pilot Licence (Powered-lift) must:

- (a) be 18 years of age or older;
 - (b) hold a valid Class 1 medical certificate issued in terms of Part 67;
 - (c) hold a valid general radiotelephony operator's certificate;
 - (d) produce evidence of holding or having held in the previous 60 months, the following:
 - (i) a valid Private Pilot Licence (Powered-lift);
 - (ii) a valid pilot licence (powered-lift) issued by an appropriate authority; or
 - (iii) a valid Namibian Air Force pilot qualification (powered-lift); or
 - (iv) a valid Student Pilot Licence where the applicant has completed an integrated training course approved by the Executive Director; and
 - (v) a valid night rating;
 - (e) hold an English Language Proficiency certification set out in Document NAM-CATS-FCL-61;
 - (f) have successfully completed the training set out in Document NAM-CATS-FCL 61 at an approved ATO;
 - (g) have passed the theoretical knowledge examination set out in Document NAM-CATS-FCL 61; and
 - (h) have undergone the skills test referred to in regulation 61.10.4.
- (2) An applicant for the issue of a Commercial Pilot Licence (Powered-lift) must have completed not less than:
- (a) 200 hours of flight time, which may include 20 hours of flight instruction time in a FSTD approved for this purpose; or
 - (b) 150 hours of flight time, if he or she has successfully completed the integrated training referred to in regulation 61.01.27.
- (3) The total of 200 hours or 150 hours, as the case may be, referred to in subregulation (2) must include:
- (a) 50 hours as pilot-in-command;
 - (b) 10 hours of cross-country flight time as pilot-in-command, including one flight of not less than 300 nm in the course of which not less than two full-stop landings at different aerodromes away from base have been made;
 - (c) five hours of night flying as pilot-in-command including not less than five take-offs and five landings by night and a cross-country flight of at least three legs, each of a minimum length of 50 NM;
 - (d) 10 hours of instrument flight instruction, of which not more than five hours may have been acquired in a FSTD approved for this purpose; and

- (e) at least five hours instruction in a powered-lift with adjustable flaps, retractable undercarriage and variable pitch propeller or turbojet engine, as applicable.

(4) A Namibia Air Force pilot or a Namibia Air Force navigator applying for a Commercial Pilot Licence (Powered-lift) may apply for equivalency crediting for some or all of the requirements indicated in regulation 61.01.11.

Application for, and issue of, a Commercial Pilot Licence (Powered-lift)

61.10.2 (1) An application for a Commercial Pilot Licence (Powered-lift) must be made to the Executive Director on the appropriate form set out in Document NAM-CATS-FCL 61 within 30 days of the practical test.

- (2) The application referred to in subregulation (1) must be accompanied by:
 - (a) a valid Class 1 medical certificate, issued in terms of Part 67;
 - (b) documentary evidence of compliance with paragraph (d) and (e) of subregulation (1) of regulation 61.10.1;
 - (c) the original documentation or certified copies of the documents proving that the applicant has passed the theoretical knowledge examination referred to in paragraph (g) of subregulation (1) of regulation 61.10.1;
 - (d) the applicant's flying logbook summarised in the form set out in the Document NAM-CATS-FCL 61;
 - (e) the skills test report set out in Document NAM-CATS-FCL 61;
 - (f) two recent passport-size photographs of the applicant, unless such applicant is the holder of another pilot licence issued in terms of Part 61; and
 - (g) the appropriate fee as prescribed in Part 187.

(3) The Executive Director must issue a Commercial Pilot Licence (Powered-lift), if he or she is satisfied:

- (a) that the applicant complies with the requirements referred to in regulation 61.10.1;
- (b) that the applicant is a fit and proper person within the meaning of section 69 of the Act to exercise the privileges of an aviation document in accordance with the provisions of the Act; and
- (c) that the applicant complies with the applicable requirements of section 68 of the Act.

(4) A Commercial Pilot Licence (Powered-lift) must be issued in the form determined by the Executive Director.

(5) The holder of a Commercial Pilot Licence (Powered-lift) must, upon receipt of the Commercial Pilot Licence (Powered-lift), immediately affix his or her signature on the licence in ink in the space provided for such purpose.

Theoretical knowledge examination

61.10.3 The applicant must undergo the skills test referred to in regulation 61.10.1 within 36 months from the date of passing all the required examination papers referred to in regulation 61.10.1.

Skills test

61.10.4 (1) An applicant for the issue of a Commercial Pilot Licence (Powered-lift) must undergo the skills test for a Commercial Pilot Licence (Powered-lift), referred to in paragraph (h) of subregulation (1) of regulation 61.10.1, within 30 days of the last period of dual instruction.

(2) An applicant referred to in subregulation (1) must demonstrate to a Designated Flight Examiner, the ability to perform as pilot-in-command of a powered-lift, the procedures and manoeuvres set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of a Commercial Pilot Licence (Powered-lift).

(3) The applicant referred to in subregulation (1) must have undergone the skills test referred to in that subregulation within the 90 days immediately preceding the date of application.

(4) The skills test referred to in subregulation (1) must have been conducted in a complex powered-lift with:

- (a) variable pitch propellers, adjustable flaps and retractable undercarriage;
- (b) turbojet engines; or
- (c) an approved FSTD.

(5) The holder of a Commercial Pilot Licence (Powered-lift) must have flown a minimum of three hours as pilot-in-command of powered-lifts in the six months preceding the relevant skills test.

Period of validity of Commercial Pilot Licence (Powered-lift)

61.10.5 A Commercial Pilot Licence (Powered-lift) is valid subject to the condition that:

- (a) the licence is accompanied by a valid Class 1 medical certificate as prescribed by regulation 61.10.1;
- (b) the licence holder complies with the maintenance of competency in terms of regulation 61.10.8 annually; and
- (c) the licence holder pays the currency fee prescribed in regulation 61.01.28 accompanied by certified copies of the last three pages of the logbook containing entries indicating a record of flight times, an annual summary indicating flight time per category, class, type and total time as well as certified copies of any endorsements entered into the logbook in the preceding 12 months, as required in regulation 61.01.6 (10).

Privileges of Commercial Pilot Licence (Powered-lift)

61.10.6 (1) The holder of a Commercial Pilot Licence (Powered-lift) may not exercise the privileges of that licence unless he or she:

- (a) is in possession of a valid Class 1 medical certificate, issued to him or her in terms of Part 67;
- (b) has submitted a copy of the medical certificate to the Authority as required in subregulation (1) of regulation 61.01.13;
- (c) complies with the maintenance of competency requirements, and

(d) satisfies the condition set out in section 68(4) of the Act.

(2) The holder of a valid Commercial Pilot Licence (Powered-lift) may, by day under VMC, act as pilot-in-command or co-pilot of any powered-lift for which he or she holds the appropriate valid class rating or type rating.

(3) The holder of a Commercial Pilot Licence (Powered-lift) may fly in compliance with IFR or in IMC, in sight of the surface and clear of cloud, fog, mist within a control zone, after being authorised to do so by the responsible air traffic services unit.

(4) The holder of a valid Commercial Pilot Licence (Powered-lift) may in the type of powered-lift for which he or she is rated, be entitled to:

- (a) exercise all the privileges of a Private Pilot Licence (Powered-lift);
- (b) in operations other than the carrying of passengers or freight for reward, act as pilot-in-command in any powered-lift;
- (c) act as pilot-in-command in commercial air transport operations in any powered-lift certificated for single-pilot operations;
- (d) act as co-pilot in commercial air transport operations in any (powered-lift) required to be operated with a co-pilot;
- (e) act as a safety pilot; and
- (f) exercise all the privileges referred to in this subregulation by night.

(5) The holder of the Commercial Pilot Licence (Powered-lift) licence is entitled to exercise the privileges of the licence for any of the special purposes referred to in regulation 61.05.7, if the holder holds the appropriate valid rating.

Ratings for special purposes and certificate

61.10.7 (1) The ratings for special purposes and certificate associated with a Commercial Pilot Licence (Powered-lift) are:

- (a) an Instrument Rating;
- (b) a flight instructor rating;
- (c) a Test Pilot Rating;
- (d) a Tug Pilot Rating;
- (e) an Aerobatics Rating;
- (f) a Tow Pilot Rating; and
- (g) an Agricultural Pilot Rating.

(2) An application for any rating or the certificate referred to in subregulation (1) must be made in accordance with the applicable regulations in Subpart 18, 20, 21, 25, 26, 27, 31 or 33, as the case may be.

Maintenance of competency

61.10.8 (1) A Commercial Pilot Licence (Powered-lift) must undergo a revalidation check within 12 months from the date of initial issue and after that a revalidation check within a period of 24 months calculated from the date of revalidation.

(2) The revalidation check referred to in subregulation (1) must be completed within 90 days prior to expiry of the class or type rating of the licence.

(3) The holder of a Commercial Pilot Licence (Powered-lift) may not act as pilot-in-command of a powered-lift transporting passengers by day, unless he or she has, within the 90 days immediately preceding the flight executed not less than three take-offs and landings in a powered-lift of the same type or a similar type, or in an approved FSTD.

(4) The holder of a Commercial Pilot Licence (Powered-lift) may not act as pilot-in-command of a powered-lift transporting passengers by night, unless he or she has, within the 90 days immediately preceding the flight executed not less than three take-offs and landings by night in a powered-lift of the same type or a similar type or in an approved FSTD: Provided that if the holder complies with the provisions of this subregulation, such holder is exempted from the provisions of subregulation (2).

(5) The holder of a Commercial Pilot Licence (Powered-lift) may not act as pilot-in-command of a powered-lift under IFR or in weather conditions less than the minimum prescribed for VFR, unless he or she is the holder of a valid Instrument Rating and, within the 90 days immediately preceding such flight, he or she has, by means of an instrument approach procedure or procedures, which have been approved by the Executive Director or by an appropriate authority:

- (a) executed at least two instrument approaches in an approved FSTD or in a powered-lift, in IMC or simulated IMC; or
- (b) undergone the skills test referred to in regulation 61.18.5.

(6) The holder of a Commercial Pilot Licence (Powered-lift) who has not maintained competency by passing a revalidation check or an initial licence skills test in the same category of aircraft within the 24 months following the issue or revalidation of such licence must comply with the following requirements:

- (a) in the case of a holder of a Commercial Pilot Licence where the maintenance of competency has lapsed by less than 36 months, the licence holder is required to:
 - (i) undergo a minimum of one period of dual flight instruction and fly at least three hours as pilot-in-command; and
 - (ii) pass a revalidation check in the same category of aircraft.
- (b) in the case of a holder of a Commercial Pilot Licence where the maintenance of competency has lapsed by more than 36 months, the licence holder is required to -
 - (i) rewrite the air law examination;
 - (ii) undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of a CPL (Powered-lift), and meet the recency requirements to act as PIC; and
 - (iii) pass an initial licence skills test in the same category of aircraft.

(7) The holder of a CPL (Powered-lift) who has not flown a minimum of three hours as either PIC or (PICUS), or six hours as co-pilot in the six months preceding a revalidation check, must undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of a CPL (Powered-lift), and meet the recency requirements to act as PIC.

- (8) The revalidation check must be undertaken in a powered-lift with:
 - (a) adjustable flaps, retractable undercarriage and variable pitch propellers;
 - (b) a turbojet engine; or
 - (c) an approved FSTD.

Recency requirements for a Commercial Pilot Licence (Powered-lift)

61.10.9 The holder of a Commercial Pilot Licence (Powered-lift) must comply with the recency requirements set out in Part 91.

SUBPART 11 AIRLINE TRANSPORT PILOT LICENCE (POWERED-LIFT)

Requirements for Airline Transport Pilot Licence (Powered-Lift)

61.11.1 (1) An applicant for the issue of an Airline Transport Pilot Licence (Powered-Lift) must:

- (a) be 21 years of age or older;
- (b) hold a valid Class 1 medical certificate issued in terms of Part 67;
- (c) hold a valid general radiotelephony operator's certificate;
- (d) produce evidence of holding or having held within the previous 60 months, a valid Instrument Rating and any of the following:
 - (i) a valid Namibian Private Pilot Licence (Powered-lift);
 - (ii) a valid pilot licence (powered-lift) issued by an appropriate authority;
 - (iii) a valid Namibian Air Force pilot qualification (powered-lift); or
 - (iv) a valid Student Pilot Licence where the applicant has completed an integrated training course approved by the Executive Director;
- (e) hold an English Language Proficiency certification set out in Document NAM-CATS-FCL-61;
- (f) have successfully completed the training set out in Document NAM-CATS-FCL 61 at an approved ATO;
- (g) have passed the theoretical knowledge examination set out in Document NAM-CATS-FCL 61 referred to in regulation 61.11.3;
- (h) have undergone the skills test referred to in regulation 61.11.4; and
- (i) have, within the previous 60 months, completed a multi-crew cooperation course.

(2) An applicant for the issue of an Airline Transport Pilot Licence (Powered-Lift) must have completed, in powered-lifts, not less than 1500 hours of flight time, of which:

- (a) 500 hours must be as pilot-in-command-under-supervision; or
- (b) 250 hours must be as pilot-in-command of which up to 150 hours may be pilot-in-command-under-supervision; and
- (c) 200 hours must be cross-country flight time, of which 100 hours may be either as co-pilot or as pilot in command under supervision;
- (d) 75 hours must be instrument time, of which not more than 30 hours may be acquired in FSTD approved for this purpose;
- (e) 100 hours must be night flight time as pilot-in-command; and
- (f) a maximum of 100 hours may be gained in an approved FSTD.

(3) For the purposes of subregulation (2), in the case of single-pilot powered-lifts operated by two pilots according to operational requirements as approved by the Executive Director, both pilots must have successfully completed the multi-crew co-operation training as specified in this Part.

(4) The 1 500 hours flying experience referred to in subregulation (2) may comprise flight time in any of the following capacities:

- (a) as pilot-in-command, counted in full;
- (b) as pilot under instruction (dual), counted in full;
- (c) as co-pilot performing under the supervision of the pilot-in-command the functions and duties of the pilot-in-command, counted in full up to a maximum of 500 hours, provided both pilots have completed multi-crew cooperation training;
- (d) as an appropriately rated co-pilot, counted in full;
- (e) as student pilot-in-command and as student pilot-in-command-under-supervision up to a maximum of 50 hours towards the pilot-in-command time required for the issue of an Airline Transport Pilot Licence (Powered-Lift), counted in full: Provided that the approved ATO, has been authorised by the Executive Director to allow the logging of student pilot-in-command-under-supervision flight time; or
- (f) a maximum of 100 hours may have been completed in an approved FSTD of which a maximum of 25 hours may have been completed in a flight procedures trainer 1 (FNPT 1), or, where the training is provided in an integrated training course, 40 hours in an FNPT II, which may include 10 hours in an FNPT 1.

(5) A Namibia Air Force pilot or a Namibia Air Force navigator may apply for equivalency crediting for some or all of these requirements as indicated in regulation 61.01.11.

Application for, and issue of, an Airline Transport Pilot Licence (Powered-Lift)

61.11.2 (1) An application for an Airline Transport Pilot Licence (Powered-Lift) must be made to the Executive Director on the appropriate form as set out in Document NAM-CATS-FCL 61 within 30 days of the skills test.

- (2) The application referred to in subregulation (1) must be accompanied by:
 - (a) a valid Class 1 medical certificate, issued in terms of Part 67;
 - (b) documentary evidence of compliance with paragraphs (d) and (e) of subregulation (1) of regulation 61.11.1;
 - (c) the original documentation or certified copies of the documents proving that the applicant has passed the theoretical knowledge examination referred to in paragraph (g) of subregulation (1) of regulation 61.11.1 and regulation 61.01.7;
 - (d) the applicant's flying logbook summarised in the form set out in Document NAM-CATS-FCL 61;
 - (e) the skills test report set out in Document NAM-CATS-FCL 61;
 - (f) two recent passport-size photographs of the applicant, unless such applicant is the holder of another pilot licence issued in terms of Part 61; and
 - (g) the appropriate fee as prescribed in Part 187.
- (3) The Executive Director must issue an Airline Transport Pilot Licence (Powered-Lift), if he or she is satisfied:
 - (a) that the applicant complies with the requirements referred to in regulation 61.11.1;
 - (b) that the applicant is a fit and proper person within the meaning of section 69 of the Act to exercise the privileges of an aviation document in accordance with the provisions of the Act; and
 - (c) complies with the applicable requirements of section 68 of the Act.
- (4) The Executive Director must issue an Airline Transport Pilot Licence (Powered-Lift) in the appropriate form determined by the Executive Director.
- (5) The holder of an Airline Transport Pilot Licence (Powered-Lift) must, upon receipt of the Airline Transport Pilot Licence (Powered-Lift), immediately affix his or her usual signature on the licence in ink in the space provided for such purpose.

Theoretical knowledge examination

61.11.3 (1) Applicants for the issued of ATPL (Power-Lift) who obtain credit or a pass for the Airline Transport Pilot Licence (Powered-Lift) subjects have 36 months to obtain an Instrument Rating (IR), and the subjects will remain valid for a period of 60 months from the date of expiry of the last Instrument Flying Revalidation Check.

(2) If an Instrument Rating is not issued within the 36 month period from the date of passing the last CPL/IR or ATPL examination as the case may be, then the air law and procedures examination credit will lapse and candidates will be required to re-take the air law and procedures theoretical knowledge examination.

(3) If an applicant for the issue of ATPL (Power-Lift) has previously passed all ATPL/A theoretical knowledge examinations but was not issued with a within the 36-month period, the amount of credit to be given for the ATPL theoretical knowledge instruction will be at the discretion of the most senior person responsible for training of the approved ATO, and this discretion must be exercised lawfully.

Skills test

61.11.4 (1) An applicant for the issue of an Airline Transport Pilot Licence (Powered-Lift) must have demonstrated to a designated examiner, the ability to perform as pilot-in-command of a powered-lift, the procedures and manoeuvres set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of an Airline Transport Pilot Licence (Powered-Lift).

(2) The applicant for the issue of an Airline Transport Pilot Licence (Powered-Lift) must have undergone the skills test referred to in subregulation (1) within 60 months of passing the theoretical knowledge examination referred to in regulation 61.11.3 and within the 90 days immediately preceding the date of application.

(3) The skills test referred to in subregulation (2) must have been conducted in a multi-engine powered-lift which is required to be operated with a co-pilot and with:

- (a) variable pitch propellers, adjustable flaps and retractable undercarriage;
- (b) turbine engines; or
- (c) an approved FSTD.

Period of validity of Airline Transport Licence (Powered-lift)

61.11.5 An Airline Transport Pilot Licence (Powered-Lift) is valid subject to the condition that:

- (a) the licence is accompanied by a valid Class 1 medical certificate issued in terms of Part 67;
- (b) the licence holder complies with the maintenance of competency of regulation 61.11.8 annually;
- (c) the licence holder holds a valid Instrument Rating; and
- (d) the licence holder pays the currency fee prescribed in regulation 61.01.28 accompanied by certified copies of the last three pages of the logbook containing entries indicating a record of flight times, an annual summary indicating flight time per category, class, type and total time as well as certified copies of any endorsements entered into the logbook in the preceding 12 months, as required in regulation 61.01.6(10), and
- (e) the licence holder satisfies the condition set out in section 68(4) of the Act.

Privileges of Airline Transport Pilot Licence (Powered-Lift)

61.11.6 (1) The holder of an Airline Transport Pilot Licence (Powered-Lift) may not exercise the privileges of the licence unless he or she:

- (a) is in possession of a valid Class 1 medical certificate, issued to him or her in terms of Part 67;
- (b) has submitted a copy of the medical certificate to the Authority as required in regulation 61.01.13;
- (c) complies with the maintenance of competency requirements; and

(d) satisfies the condition set out in section 68(4) of the Act.

(2) Subject to subregulation (1) the holder of a valid Airline Transport Pilot Licence (Powered-Lift) is entitled to:

- (a) exercise all the privileges of a private and Commercial Pilot Licence (Powered-lift);
- (b) act as pilot-in-command of a powered-lift engaged in air transport operations; and
- (c) exercise all the privileges referred to in this subregulation under IFR.

(3) Subject to subregulation (1) the holder of the licence is entitled to exercise the privileges of the licence for any of the special purposes referred to in regulation 61.11.7, if the holder holds the appropriate valid rating.

(4) The holder of an Airline Transport Pilot Licence (Powered-Lift) may not exercise any of the privileges of his or her licence unless such holder has undergone, at any time during the preceding 12 months, a skills test for the issue of a type rating or an Airline Transport Pilot Licence (Powered-Lift) revalidation check.

(5) Any limitation of privileges must be endorsed on the Airline Transport Pilot Licence (Powered-Lift).

Ratings for special purposes and certificate

61.11.7 (1) The ratings for special purposes and for FSTD Authorisation Certificate associated with an Airline Transport Pilot Licence (Powered-Lift) are:

- (a) a Flight Instructor Rating;
- (b) a Test Pilot Rating;
- (c) a Tug Pilot Rating,
- (d) an Aerobatics Rating,
- (e) a Tow Rating; and
- (f) an Agricultural Pilot Rating.

(2) An application for any rating or the certificate referred to in subregulation (1) must be made in accordance with the regulations in Subpart 19, 20, 21, 23, 25, 26, 27, 31 or 33, as the case may be.

Maintenance of competency

61.11.8 (1) The holder of an Airline Transport Pilot Licence (Powered-Lift) must undergo a revalidation check within a period of 12 months calculated from the date of issue or the date of revalidation.

(2) The revalidation check in subregulation (1) must be completed within 90 days prior to expiry of the class or type rating of the licence.

(3) The holder of an Airline Transport Pilot Licence (Powered-Lift) may not act as pilot-in-command of a powered-lift transporting passengers by day, unless he or she has, within the 90 days immediately preceding the flight executed not less than three take-offs and three landings in a powered-lift of the same type or a similar type or in an approved FSTD.

(4) The holder of an Airline Transport Pilot Licence (Powered-Lift) may not act as pilot-in-command of a powered-lift transporting passengers by night, unless he or she has, within the 90 days immediately preceding the flight executed not less than three take-offs and three landings by night in a powered-lift of the same type or a similar type, or in an approved FSTD: Provided that if the holder complies with the provisions of this subregulation, such holder is exempt from the provisions of subregulation (2).

(5) The holder of an Airline Transport Pilot Licence (Powered-Lift) may not act as pilot-in-command of a powered-lift under IFR or in weather conditions less than the minimum prescribed for VFR, unless he or she is the holder of a valid Instrument Rating and, within the 90 days immediately preceding such flight, he or she has, by means of an instrument approach procedure or procedures, which have been established by the Executive Director or by an appropriate authority:

- (a) executed at least two instrument approaches approved FSTD or in a powered-lift, in IMC or simulated IMC; or
- (b) undergone the skills test referred to in regulation 61.11.4.

(6) The holder of an Airline Transport Pilot Licence (Powered-Lift) who has not maintained competency by passing a revalidation check or an initial licence skills test in the same category of aircraft within the 12 months following the issue or revalidation of such licence must comply with the following requirements:

- (a) in the case of a holder of an Airline Transport Pilot Licence where the maintenance of competency has lapsed by less than 36 months, the licence holder is required to:
 - (i) undergo a minimum of one period of dual flight instruction and fly at least three hours as pilot-in-command; and
 - (ii) pass a revalidation check in the same category of aircraft.
- (b) in the case of a holder of an Airline Transport Pilot Licence where the maintenance of competency has lapsed by more than 36 months, the licence holder is required to:
 - (i) rewrite the air law and operational procedures examination;
 - (ii) undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of a ATPL (powered-lift), and meet the recency requirements to act as PIC; and
 - (iii) pass an initial licence skills test in the same category of aircraft.

(7) The holder of an ATPL (powered-lift) who has not flown a minimum of three hours as either PIC or PICUS, or six hours as co-pilot in the six months preceding a revalidation check, must undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of an ATPL (powered-lift), and meet the recency requirements to act as PIC.

Recency requirements for an Airline Transport Pilot Licence (Powered-Lift)

61.11.9 The holder of an Airline Transport Pilot Licence (Powered-Lift) must comply with the recency requirements referred to in Part 91.

SUBPART 12 GLIDER PILOT LICENCE**Requirements for Glider Pilot Licence**

61.12.1 (1) An applicant for the issue of a Glider Pilot Licence must:

- (a) be 16 years of age or older;
- (b) hold at least a valid Class 1 or Class 2 medical certificate issued in terms of Part 67;
- (c) hold a valid restricted radiotelephony operator's certificate;
- (d) show evidence of holding a valid Student Pilot Licence or having held, within the previous 60 months, any of the following:
 - (i) a pilot licence (glider) issued by an appropriate authority;
 - (ii) a Namibian private pilot licence qualification (aeroplane); or
 - (iii) a Recreational Pilot Licence issued in terms of Part 62.
- (e) have successfully completed the training set out in Document NAM-CATS-FCL 61 at an approved ATO;
- (f) have passed the theoretical knowledge examination set out in Document NAM-CATS-FCL 61; and
- (g) have undergone the skill test referred to in regulation 61.12.4.

(2) An applicant for the issue of a Glider Pilot Licence must:

- (a) have completed not less than six hours of flight time in a glider suitable for cross-country flights, of which not less than two hours must be solo flight time during which he or she must perform not less than 20 launches and landings; or
- (b) if the applicant is the holder of a pilot licence issued in terms of Subpart 3, 5 or 7, as the case may be, have completed not less than three hours of flight time, of which not less than one hour must be solo flight time during which he or she must perform not less than 10 launches and landings.

(3) The applicant for the issue of a Glider Pilot Licence must have gained, under appropriate supervision, operational experience in gliders in the following areas:

- (a) pre-flight operations, including glider assembly and inspection;
- (b) techniques and procedures for the launching method used, including appropriate airspeed limitations, emergency procedures and signals used;
- (c) traffic pattern operations, collision avoidance precautions and procedures;

- (d) control of the glider by external visual reference;
- (e) flight throughout the flight envelope;
- (f) recognition of, and recovery from, incipient and full stalls and spiral dives;
- (g) normal and crosswind launches, approaches and landings;
- (h) cross-country flying using visual reference and dead reckoning; and
- (i) emergency procedures.

(4) The training, theoretical knowledge examinations and skills test for the applicant of a Glider Pilot Licence must include:

- (a) the specific launch method used for the appropriate type of glider; and
- (b) the completion of a minimum of 40 flights, including 20 solo flights and 10 launches.

(5) If the holder of a Glider Pilot Licence is to carry passengers on board, the applicant must have completed not less than 10 hours of flight time in a glider suitable for cross-country flights of which not less than four hours must be solo flight time during which he or she must perform not less than 30 launches and landings.

(6) Namibian Air Force pilots applying for a Glider Pilot Licence may apply for equivalency crediting for some or all of the requirements indicated in regulation 61.01.11.

Application for, and issue of, a Glider Pilot Licence

61.12.2 (1) An application for a Glider Pilot Licence must be made to the Executive Director on the appropriate form set out in Document NAM-CATS-FCL 61 within 30 days of taking the skills test.

- (2) The application referred to in subregulation (1) must be accompanied by:
 - (a) a valid Class 1 or Class 2 medical certificate, issued in terms of Part 67;
 - (b) documentary evidence of compliance with paragraph (d) of subregulation (1) of regulation 61.12.1;
 - (c) the original documentation proving that the applicant has passed the theoretical knowledge examination referred to in paragraph (f) of subregulation (1) of 61.12.1;
 - (d) the applicant's flying logbook summarised in the form as set out in Document NAM-CATS-FCL 61;
 - (e) the skills test report set out in Document NAM-CATS-FCL 61;
 - (f) two recent passport-size photographs of the applicant, unless such applicant is the holder of another pilot licence issued in terms of this Part or Part 62; and
 - (g) the appropriate fee as prescribed in Part 187.
- (3) The Executive Director must issue a Glider Pilot Licence, if he or she is satisfied:

- (a) that the applicant complies with the requirements referred to in regulation 61.12.1;
- (b) that the applicant is a fit and proper person within the meaning of section 69 of the Act to exercise the privileges of an aviation document in accordance with the provisions of the Act; and
- (c) complies with the applicable requirements of section 68 of the Act.

(4) The Executive Director must issue the Glider Pilot Licence in the form determined by the Executive Director.

(5) The holder of a Glider Pilot Licence must, upon receipt of the Glider Pilot Licence immediately affix his or her usual signature on the licence in ink in the space provided for such purpose.

Theoretical knowledge examination

61.12.3 An applicant for the issue of a Glider Pilot Licence must have passed the appropriate written examination referred to in paragraph (f) of subregulation (1) of regulation 61.12.1 within a period of 12 months and have passed the last theoretical knowledge examination within six months preceding the skills test for a Glider Pilot Licence.

Skills test

61.12.4 (1) An applicant for the issue of a Glider Pilot Licence must demonstrate the ability to perform, as pilot-in-command of a glider, the procedures and manoeuvres set out in Document NAM-CATS-FCL 61 with a degree of competency appropriate to the privileges granted to the holder of a Glider Pilot Licence, to:

- (a) to a Chief Flying Instructor of an approved ATO with an examiner designation; or
- (b) a Grade II flight instructor (Glider) appointed in terms of Document NAM-CATS-FCL 61 by the chief flying instructor of the approved ATO with an examiner designation.

(2) The applicant must referred to in subregulation (1) have undergone the skills test referred to in that subregulation within the 90 days immediately preceding the date of application.

(3) The skills test referred to in subregulation (1) must be conducted in a Glider and must include the requirements of regulation 61.12.1.

(4) The holder of a Glider Pilot Licence must have flown a minimum of two hours as pilot of gliders in the six months preceding the relevant skills test.

Period of validity of Glider Pilot Licence

61.12.5 A Glider Pilot Licence is valid subject to the condition that:

- (a) the licence is accompanied by a valid Class 1 or Class 2 medical certificate issued in terms of Part 67;
- (b) the licence holder complies with the maintenance of competency in terms of regulation 61.12.8 annually; and

- (c) the licence holder pays currency fee prescribed in regulation 61.01.28 accompanied by certified copies of the last three pages of the logbook containing entries indicating a record of flight times, an annual summary indicating flight time per category, class, type and total time as well as certified copies of any endorsements entered into the logbook in the preceding 12 months.

Privileges of Glider Pilot Licence

61.12.6 (1) For the purposes of this regulation “remuneration” does not include the pro rata sharing of the direct operating costs of a flight among the occupants of a glider.

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

- (a) holds a valid Class 1 or 2 medical certificate issued in terms of Part 67;
- (b) has a copy of the medical certificate submitted to the Authority, as required in regulation 61.01.13;
- (c) complies with the requirements for maintenance of competency in regulation 61.12.8, and
- (d) satisfies the condition set out in section 68(4) of the Act.

(3) The holder of a Glider Pilot Licence may, by day under VMC, act as pilot-in-command of any glider for which he or she is type rated.

(4) Subject to subregulation (1) the holder of the Glider Pilot Licence is entitled to exercise the privileges of the licence for any of the special purposes referred to in regulation 61.12.7, in a glider which has been certificated in terms of these regulations for such use and if the holder holds the appropriate valid rating.

(5) The holder of a Glider Pilot Licence with Tow Rating may act as pilot of a glider being launched by the tow method.

(6) The holder of a Glider Pilot Licence may use the launch method for which the requirements of regulation 12.01.1(3) have been completed.

(7) The holder of a Glider Pilot Licence:

- (a) may not act as pilot-in-command of a glider that is carrying passengers or freight for reward or hire;
- (b) may not be remunerated for piloting a glider; and
- (c) may act as a pilot-in command of a glider in the course of his or her own or employer’s business: Provided that:
 - (i) the flight is only incidental to that business or employment; and
 - (ii) the glider does not carry passengers or freight for reward or hire.

Ratings for special purposes

61.12.7 (1) The ratings for special purposes associated with a Glider Pilot Licence are:

- (a) a Flight Instructor Rating; and
- (b) Tow Rating.

(2) An application for the ratings referred to in subregulation (1) must be made in accordance with the Regulations in Subpart 20, 21 or 27, as the case may be.

(3) The Glider Pilot Licence may be issued with an tow launch rating endorsement if:

- (a) the pilot has completed both the theoretical knowledge examinations and skills test for a Tow Rating specific to the tow launch method; and
- (b) a minimum of 40 flights, including 20 solo flights and 10 tow launches, have been completed.

Maintenance of competency

61.12.8 (1) The holder of a Glider Pilot Licence must undergo a revalidation check within 12 months from the date of initial issue of the licence and after that within a period of 24 months calculated from the date of revalidation.

(2) The revalidation check referred to in subregulation (1) must be completed within 90 days prior to expiry of the class or type rating of the licence.

(3) The holder of a Glider Pilot Licence may not act as pilot-in-command of a glider with passengers on board unless he or she has, within the 90 days immediately preceding the flight on which such passenger is to be transported, executed not less than three launches and three landings in a glider of the same type.

(4) The holder of a Glider Pilot Licence who has not maintained competency by passing a revalidation check or an initial licence skills test in the same category of aircraft within the 24 months following the issue or revalidation of such licence must comply with the following requirements:

- (a) in the case of a holder of a Glider Pilot Licence where the maintenance of competency has lapsed by less than 36 months, the licence holder is required to:
 - (i) undergo a minimum of one period of dual flight instruction and fly at least three hours as pilot-in-command; and
 - (ii) pass a revalidation check in the same type of glider;
- (b) in the case of a holder of a Glider Pilot Licence where the maintenance of competency has lapsed by more than 36 months, the licence holder is required to:
 - (i) rewrite the air law examination;
 - (ii) undergo a minimum of one period of dual flight instruction and fly at least three hours as pilot-in-command; and

- (iii) pass an initial licence skills test in the same type of glider.

(5) The holder of a Glider Pilot Licence who has not flown a minimum of three hours as PIC of gliders in the six months preceding a revalidation check must undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of a Glider Pilot Licence, and meet the recency requirements to act as PIC.

Recency requirements for a Glider Pilot Licence

61.12.9 The holder of a Glider Pilot Licence must comply with the recency requirements referred to in Part 91.

SUBPART 13 FREE BALLOON PILOT LICENCE

Requirements for Free Balloon Pilot Licence

61.13.1 (1) An applicant for the issue of a Free Balloon Pilot Licence must:

- (a) be 16 years of age or older;
- (b) hold at least a valid Class 1 or Class 2 medical certificate issued in terms of Part 67;
- (c) hold a valid restricted radiotelephony operator's certificate;
- (d) show acceptable evidence of holding a valid Student Pilot Licence or having held, within the previous 60 months, any of the following:
 - (i) a pilot licence (free balloon) issued by an appropriate authority;
 - (ii) a Namibian private pilot licence qualification (aeroplane); or
 - (iii) a Recreational Pilot Licence issued in terms of Part 62;
- (e) have successfully completed the training set out in Document NAM-CATS-61 with an approved ATO;
- (f) have passed the theoretical knowledge examination set out in Document NAM-CATS-61; and
- (g) have undergone the skill test referred to in regulation 61.13.4.

(2) An applicant for the issue of a Free Balloon Pilot Licence must have completed not less than 16 hours aloft with not less than eight launches and ascents under dual instruction with a free balloon flight instructor, and one launch and ascent must be solo.

(3) The dual instruction referred to in subregulation (2) must include operational experience in free balloons under supervision of the Free Balloon flight instructor that includes:

- (a) pre-flight operations, including balloon assembly, rigging, inflation, mooring and inspection;
- (b) techniques and procedures for the launching and ascent, including appropriate limitations, emergency procedures and signals used;
- (c) collision avoidance precautions;

- (d) control of the free balloon by external visual reference;
- (e) recognition of, and recovery from, rapid descents;
- (f) approaches and landings, including ground handling; and
- (g) emergency procedures.

(4) The experience referred to in subregulation (2) must include one cross-country flight using visual reference and dead reckoning.

(5) If the privileges of the Free Balloon Pilot Licence are to be exercised at night, the applicant must have gained, under supervision, at least three hours aloft at night with two launches and ascents.

(6) If passengers are to be carried for remuneration or hire on the Free Balloon, the applicant for the issue of the Free Balloon Pilot Licence must have gained 35 hours of flight time including 20 hours as a pilot in command of a free balloon.

Application for, and issue of, a Free Balloon Pilot Licence

61.13.2 (1) An application for a Free Balloon Pilot Licence must be made to the Executive Director on the appropriate form set out in Document NAM-CATS-FCL 61 within 30 days of the skills test.

- (2) The application referred to in subregulation (1) must be accompanied by:
- (a) a valid Class 1 or Class 2 medical certificate, issued in terms of Part 67;
 - (b) documentary evidence of compliance with paragraph (d) of subregulation (1) of regulation 61.13.1;
 - (c) the original documentation proving that the applicant has passed the theoretical knowledge examination referred to in paragraph (f) of subregulation (1) of regulation 61.13.1;
 - (d) the applicant's flying logbook summarised in the form set out in Document NAM-CATS-FCL 61;
 - (e) the skills test report set out in Document NAM-CATS-FCL 61;
 - (f) two recent passport-size photographs of the applicant, unless such applicant is the holder of another pilot licence issued in terms of Part 61 or 62; and
 - (g) the appropriate fee as prescribed in Part 187.

(3) The Executive Director must issue a Free Balloon Pilot Licence, if he or she is satisfied:

- (a) that the applicant complies with the requirements referred to in regulation 61.13.1;
- (b) that the applicant is a fit and proper person within the meaning of section 69 of the Act to exercise the privileges of an aviation document in accordance with the provisions of the Act; and

- (c) complies with the applicable requirements of section 68 of the Act.
- (4) The Executive Director must issue a Free Balloon Pilot Licence in the appropriate form determined by the Executive Director.
- (5) The holder of a Free Balloon Pilot Licence must, upon receipt of the Free Balloon Pilot Licence, immediately affix his or her usual signature on the licence in ink in the space provided for such purpose.

Theoretical knowledge examination

61.13.3 An applicant for the issue of a Free Balloon Pilot Licence must have passed the appropriate written examination referred to in paragraph (f) of subregulation (1) of regulation 61.13.1 within a period of 12 months and have passed the last theoretical knowledge examination within six months preceding the skills test for a Free Balloon Pilot Licence.

Skills test

61.13.4 (1) An applicant for the issue of a Free Balloon Pilot Licence must demonstrate the procedures and manoeuvres set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of a Free Balloon Pilot Licence, to:

- (a) a Chief Flying Instructor of an approved ATO, with an examiner designation; or
 - (b) free balloon Grade I or II flight instructor appointed in terms of Document NAM-CATS-FCL 61 by the chief flying instructor of the approved ATO, with an examiner designation.
- (2) The applicant for a Free Balloon Pilot Licence must have undergone the skill test referred to in subregulation (1), within the 90 days immediately preceding the date of application.
- (3) The skills test referred to in subregulation (1) must be conducted in a free balloon.
- (4) The holder of a Free Balloon Pilot Licence must have flown a minimum of two hours as pilot of free balloons in the six months preceding the relevant skills test.

Period of validity of Free Balloon Pilot Licence

61.13.5 A Free Balloon Pilot Licence is valid subject to the condition that:

- (a) the licence is accompanied by a valid Class 2 medical certificate issued in terms of Part 67;
- (b) the licence holder complies with the maintenance of competency in terms of regulation 61.13.8 annually; and
- (c) the licence holder pays the currency fee prescribed in regulation 61.01.28 accompanied by certified copies of the last 3 pages of the logbook containing entries indicating a record of flight times, an annual summary indicating flight time per category, class, type and total time as well as certified copies of any endorsements entered into the logbook in the preceding 12 months.

Privileges of Free Balloon Pilot Licence

61.13.6 (1) The holder of a Free Balloon Pilot Licence may not exercise the privileges of that licence unless he or she:

- (a) holds a valid Class 1 or 2 medical certificate issued in terms of Part 67;
- (b) has submitted a copy of the medical certificate to the Authority, as required in regulation 61.01.13;
- (c) complies with the requirements for maintenance of competency in regulation 61.13.8.and;
- (d) satisfies the condition set out in section 68(4) of the Act.

(2) Subject to the requirements of the subregulation (1) the holder of a valid Free Balloon Pilot Licence is entitled to act as pilot-in-command of any free balloon engaged in non-revenue flights for which the holder is type rated, in VMC by day.

(3) The holder of the licence is entitled to exercise the privileges of the licence for the special purposes referred to in regulation 61.13.7, if the holder holds the appropriate valid rating.

(4) The holder of a Free Balloon Pilot Licence:

- (a) may not act as pilot-in-command of a Free Balloon that is carrying passengers or freight for hire or reward;
- (b) may not be remunerated or rewarded for piloting a Free Balloon; and
- (c) may act as a pilot-in command of a Free Balloon in the course of his or her own or employer's business: Provided that:
 - (i) the flight is only incidental to that business or employment; and
 - (ii) the free balloon does not carry passengers or freight for reward or hire.

Ratings for special purposes

61.13.7 (1) The ratings for special purposes associated with a Free Balloon Pilot Licence are a night rating and a Free Balloon Flight Instructor Rating (Grade III and Grade II).

(2) An application for the ratings referred to in subregulation (1) must be made in accordance with the Regulations in Subpart 20 or 21 and 24.

Maintenance of competency

61.13.8 (1) The holder of a Free Balloon Pilot Licence must undergo a revalidation check within 12 months from the date of initial issue of the licence and after that within a period of 24 months calculated from the date of revalidation.

(2) The revalidation check referred to in subregulation (1) must be completed within 90 days prior to expiry of the class or type rating of the licence.

(3) The holder of a Free Balloon Pilot Licence may not act as pilot-in-command of a free balloon with passengers on board unless he or she has, within the 90 days immediately preceding the flight executed not less than three launches and ascents in a free balloon of the same type.

(4) The holder of a Free Balloon Pilot Licence who has not maintained competency by passing a revalidation check or an initial licence skills test in the same category of aircraft within the 24 months following the issue or revalidation of such licence must comply with the following requirements:

- (a) in the case of a holder of a Free Balloon Pilot Licence where the maintenance of competency has lapsed by less than 36 months, the licence holder is required to:
 - (i) undergo a minimum of one period of dual flight instruction and fly at least three hours aloft under supervision; and
 - (ii) pass a revalidation check in the same type of free balloon.
- (b) in the case of a holder of a Free Balloon Pilot Licence where the maintenance of competency has lapsed by more than 36 months, the licence holder is required to:
 - (i) rewrite the air law examination;
 - (ii) undergo a minimum of one period of dual flight instruction and fly at least three hours aloft under supervision; and
 - (iii) pass an initial licence skills test in the same type of free balloon.

(5) The holder of a Free Balloon Pilot Licence who has not flown a minimum of three hours as PI of gliders in the six months preceding a revalidation check must -

- (a) undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of a Free Balloon Pilot Licence; and
- (b) meet the recency requirements to act as PI.

Recency requirements for a Free Balloon Pilot Licence

61.13.9 The holder of a Free Balloon Pilot Licence must comply with the recency requirements referred to in Part 91.

SUBPART 14 COMMERCIAL FREE BALLOON PILOT LICENCE

Requirements for Commercial Free Balloon Pilot Licence

61.14.1 (1) An applicant who applies for the issuing of a Commercial Free Balloon Pilot Licence must:

- (a) be 18 years of age or older;
- (b) hold a valid Class 2 medical certificate issued in terms of Part 67;
- (c) hold a valid general radiotelephony operator's certificate;
- (d) show evidence of holding a valid Free Balloon Pilot Licence or having held, within the previous 60 months, any of the following -

- (i) a pilot licence (free balloon) issued by an appropriate authority;
 - (ii) a Namibian Student Pilot Licence qualification (free balloon); or
 - (iii) a Recreational Pilot Licence issued in terms of Part 62;
- (e) have successfully completed the training set out in NAM-CATS-FCL-61 with an approved ATO;
- (f) have passed the theoretical knowledge examination set out in Document NAM-CATS-FCL-61;
- (g) have undergone the skills test referred to in regulation 61.14.4; and
- (h) meet the requirements of the Act.
- (2) An applicant who applies for the issuing of a Commercial Free Balloon Pilot Licence must have completed not less than 50 hours aloft with not less than 20 launches and ascents as the solo pilot.
- (3) The experience referred to in subregulation (2) must include the following:
- (a) at least 20 hours commercial operational experience in free balloons under supervision of a Free Balloon flight instructor;
 - (b) at least one cross-country flight using visual reference and dead reckoning; and
 - (c) if the privileges of the licence are to be exercised at night, the applicant must have gained, under supervision, at least five hours aloft at night with three launches and ascents.

Application for, and issue of, a Commercial Free Balloon Pilot Licence

61.14.2 (1) An application for a Commercial Free Balloon Pilot Licence must be made to the Executive Director on the appropriate form as set out in Document NAM-CATS-FCL 61 within 30 days of the skills test.

- (2) The application referred to in subregulation (1) must be accompanied by:
- (a) a valid Class 2 medical certificate, issued in terms of Part 67;
 - (b) documentary evidence of compliance with paragraph (d) of subregulation (1) of regulation 61.14.1;
 - (c) the original documentation proving that the applicant has passed the theoretical knowledge examination referred to in paragraph (f) of subregulation (1) of regulation 61.14.1;
 - (d) the applicant's flying logbook summarised in the form set out in Document NAM-CATS-FCL 61;
 - (e) the skills test report set out in Document NAM-CATS-FCL 61;
 - (f) two recent passport-size photographs of the applicant, unless such applicant is the holder of another pilot licence issued in terms of this Part or Part 62; and

(g) the appropriate fee as prescribed in Part 187.

(3) The Executive Director must issue a Commercial Free Balloon Pilot Licence, if he or she is satisfied:

- (a) that the applicant complies with the requirements referred to in regulation 61.03.1;
- (b) that the applicant is a fit and proper person within the meaning of section 69 of the Act to exercise the privileges of an aviation document in accordance with the provisions of the Act; and
- (c) complies with the applicable requirements of section 68 of the Act.

(4) The Executive Director must issue a Commercial Free Balloon Pilot Licence in the form determined by the Executive Director.

(5) The holder of a Commercial Free Balloon Pilot Licence must, upon receipt of the Commercial Free Balloon Pilot Licence, immediately affix his or her usual signature on the licence in ink in the space provided for such purpose.

Theoretical knowledge examination

61.14.3 An applicant for the issue of a Commercial Free Balloon Pilot Licence must have passed the appropriate written examination referred to in paragraph (f) of subregulation (1) of regulation 61.14.1 within a period of 36 months and have passed the last theoretical knowledge examination within six months preceding the skills test for a Commercial Free Balloon Pilot Licence.

Skills test

61.14.4 (1) An applicant who applies for the issuing of a Commercial Free Balloon Pilot Licence must demonstrate to a designated examiner, the ability to perform, as pilot-in-command of a free balloon, the procedures and manoeuvres set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of a Free Balloon Pilot Licence for commercial purposes.

(2) The applicant must have undergone the skills test referred to in subregulation (1), within the 90 days immediately preceding the date of application.

(3) The skills test referred to in subregulation (1) must be conducted in a free balloon.

(4) The holder of a Commercial Free Balloon Pilot Licence must have flown a minimum of three hours as pilot of free balloons in the six months preceding the relevant skills test.

Period of validity of Commercial Free Balloon Pilot Licence

61.14.5 A Commercial Free Balloon Pilot Licence is valid subject to the condition that:

- (a) the licence is accompanied by a valid Class 2 medical certificate issued in terms of Part 67;
- (b) the licence holder complies with the maintenance of competency in terms of regulation 61.14.8 annually; and

- (c) the licence holder pays currency fee prescribed in regulation 61.01.28 accompanied by certified copies of the last 3 pages of the logbook containing entries indicating a record of flight times, an annual summary indicating flight time per category, class, type and total time as well as certified copies of any endorsements entered into the logbook in the preceding 12 months, as required in subregulation (10) of regulation 61.01.6.

Privileges of a Commercial Free Balloon Pilot Licence

61.14.6 (1) The holder of a Commercial Free Balloon Pilot Licence may not exercise the privileges of that licence unless he or she:

- (a) holds a valid Class 2 medical certificate issued in terms of Part 67;
- (b) has submitted a copy of the medical certificate to the Authority, as required in regulation 61.01.13; and
- (c) complies with the requirements for maintenance of competency in regulation 61.14.8.

(2) Subject to the requirements of the subregulation (1) the holder of a valid Commercial Free Balloon Pilot Licence is entitled to:

- (a) exercise all the privileges of a Free Balloon Pilot Licence; and
- (b) act as pilot-in-command in commercial balloon operations, in any free balloon which has been certificated for use in commercial operations and for which the holder is type rated.

(3) The holder of the Commercial Free Balloon Pilot Licence is entitled to exercise the privileges of the licence for the special purposes referred to in regulation 61.14.7, if the holder holds the appropriate valid rating.

Ratings for special purposes

61.14.7 (1) The ratings for special purposes associated with a Commercial Free Balloon Pilot Licence are a night rating and a free balloon flight instructor rating.

(2) An application for the rating referred to in subregulation (1) must be made in accordance with the Regulations in Subpart 19, 20 or 21 and 24.

Maintenance of competency

61.14.8 (1) The holder of a Commercial Free Balloon Pilot Licence must undergo a revalidation check within 12 months from the date of initial issue of the licence or from the date of revalidation.

(2) The revalidation check referred to in subregulation (1) must be completed within 90 days prior to expiry of the class or type rating of the licence.

(3) The holder of a Commercial Free Balloon Pilot Licence may not act as pilot-in-command of a free balloon transporting passengers unless he or she has, within the 90 days immediately preceding the flight executed not less than three launches and ascents in a free balloon of the same type.

(4) The holder of a Commercial Free Balloon Pilot Licence who has not maintained competency by passing a revalidation check or an initial licence skills test in the same category of aircraft within the 12 months following the issue or revalidation of such licence must comply with the following requirements:

- (a) in the case of a holder of a Commercial Free Balloon Pilot Licence where the maintenance of competency has lapsed by less than 36 months, the licence holder is required to:
 - (i) undergo a minimum of one period of dual flight instruction and fly at least three hours aloft under supervision; and
 - (ii) pass a revalidation check in the same type of free balloon.
- (b) in the case of a holder of a Commercial Free Balloon Pilot Licence where the maintenance of competency has lapsed by more than 36 months, the licence holder is required to:
 - (i) rewrite the air law examination;
 - (ii) undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of a Commercial Free Balloon Pilot Licence, and meet the recency requirements to act as PIC; and
 - (iii) pass an initial licence skills test in the same type of free balloon.

(5) The holder of a Commercial Free Balloon Pilot Licence who has not flown a minimum of six hours as PIC of free balloons in the six months preceding a revalidation check must undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of a Commercial Free Balloon Pilot Licence, and meet the recency requirements to act as PIC.

Recency requirements for a Commercial Free Balloon Pilot Licence

61.14.9 The holder of a Commercial Free Balloon Pilot Licence must comply with the recency requirements referred to in Part 91.

SUBPART 15 AIRSHIP PILOT LICENCE

Requirements for Airship Pilot Licence

- 61.15.1** (1) An applicant who applies for the issuing of an Airship Pilot Licence must:
- (a) be 17 years of age or older;
 - (b) hold at least a valid Class 1 or Class 2 medical certificate issued in terms of Part 67;
 - (c) hold a valid restricted radiotelephony operator's certificate;
 - (d) show evidence of holding a valid Student Pilot Licence or having held, within the previous 60 months, any of the following:
 - (i) a pilot licence (airship) issued by an appropriate authority; or
 - (ii) a Recreational Pilot Licence issued in terms of Part 62;

- (e) have successfully completed the training set out in Document NAM-CATS-FCL-61 with an approved ATO;
- (f) have passed the theoretical knowledge examination set out in Document NAM-CATS-FCL-61; and
- (g) have undergone the skills test referred to in regulation 61.15.4.

(2) An applicant who applies for the issuing of an Airship Pilot Licence must have completed not less than 25 hours as pilot of airships with not less than:

- (a) five hours as pilot in command under supervision including eight ascents under dual instruction with an airship flight instructor;
- (b) three hours of cross-country flight in an airship of not less than 25 NM, including five ascents and full stop landings at different aerodromes with each landing involving a flight in the traffic pattern at the aerodrome; and
- (c) three hours of instrument instruction time.

Application for, and issue of, an Airship Pilot Licence

61.15.2 (1) An application for an Airship Pilot Licence must be made to the Executive Director on the appropriate form set out in Document NAM-CATS-FCL 61 within 30 days of the practical skills test.

- (2) The application referred to in subregulation (1) must be accompanied by:
 - (a) a valid Class 1 or 2 medical certificate, issued in terms of Part 67;
 - (b) documentary evidence of compliance with paragraph (d) of subregulation (1) of regulation 61.15.1;
 - (c) the original documentation proving that the applicant has passed the theoretical knowledge examination referred to in paragraph (f) of subregulation (1) of regulation 61.15.1;
 - (d) the applicant's flying logbook summarised in the form set out in Document NAM-CATS-FCL 61;
 - (e) the skills test report set out in Document NAM-CATS-FCL 61;
 - (f) two recent passport-size photographs of the applicant, unless such applicant is the holder of another pilot licence issued in terms of Part 61 or Part 62; and
 - (g) the appropriate fee as prescribed in Part 187.
- (3) The Executive Director must issue an Airship Pilot Licence, if he or she is satisfied:
 - (a) that the applicant complies with the requirements referred to in regulation 61.15.1;
 - (b) that the applicant is a fit and proper person within the meaning of section 69 of the Act to exercise the privileges of an aviation document in accordance with the provisions of the Act; and

- (c) complies with the applicable requirements of section 68 of the Act.
- (4) The Executive Director must issue an Airship Pilot Licence in the form determined by the Executive Director.
- (5) The holder of an Airship Pilot Licence must, upon receipt of the Airship Pilot Licence, immediately affix his or her usual signature on the licence in ink in the space provided for such purpose.

Theoretical knowledge examination

61.15.3 An applicant for the issue of an Airship Pilot Licence must have passed the appropriate written examination referred to in paragraph (f) of subregulation (1) of regulation 61.15.(1) within a period of 12 months and have passed the last theoretical knowledge examination within six months preceding the skills test for an Airship Pilot Licence.

Skills test

61.15.4 (1) An applicant who applies for the issuing of an Airship Pilot Licence must demonstrate the ability to perform, as pilot-in-command of an airship, the procedures and manoeuvres set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of an Airship Pilot Licence, to:

- (a) Chief Flying Instructor of an approved ATO, with an examiner designation; or
 - (b) airship flight instructor Grade I or II appointed in terms of Document NAM-CATS-FCL 61 by the Chief Flying Instructor of the approved ATO, with an examiner designation.
- (2) The applicant for Airship Pilot Licence must have undergone the skills test referred to in subregulation (1) within the 90 days immediately preceding the date of application.
- (3) The skills test referred to in subregulation (1) must be conducted in an airship.
- (4) The holder of an Airship Pilot Licence must have flown a minimum of three hours as pilot of airships in the six months preceding the relevant skills test.

Period of validity of Airship Pilot Licence

61.15.5 An Airship Pilot Licence is valid subject to the condition that:

- (a) the licence must be accompanied by a valid Class 1 or Class 2 medical certificate issued in terms of Part 67;
- (b) the licence holder must comply with the maintenance of competency in terms of regulation 61.15.8, annually; and
- (c) the licence holder must submit the currency fee prescribed in regulation 61.01.28 accompanied by certified copies of the last 3 pages of the logbook containing entries indicating a record of flight times, an annual summary indicating flight time per category, class, type and total time as well as certified copies of any endorsements entered into the logbook in the preceding 12 months.

Privileges of Airship Pilot Licence

61.15.6 (1) The holder of an Airship Pilot Licence may not exercise the privileges of that licence unless he or she:

- (a) holds a valid Class 1 or 2 medical certificate issued in terms of Part 67;
- (b) has submitted a copy of the medical certificate to the Authority, as required in regulation 61.01.13;
- (c) complies with the requirements for maintenance of competency in regulation 61.15.8, and
- (d) satisfies the condition set out in section 68(4) of the Act.

(2) The holder of a valid Airship Pilot Licence is entitled to act as pilot-in-command of any airship engaged in non-revenue flights for which the holder is type rated, in VMC by day.

(3) Subject to subregulation (1)(d), the holder of the licence is entitled to exercise the privileges of the licence for the special purposes referred to in regulation 61.15.7, if the holder holds the appropriate valid rating.

(4) The holder of an Airship Pilot Licence:

- (a) may not act as pilot-in-command of an airship that is carrying passengers or freight for hire or reward;
- (b) may not be remunerated or rewarded for acting piloting an airship; and
- (c) may act as a pilot-in command of an airship in the course of his or her own or employer's business: Provided that:
 - (i) the flight is only incidental to that business or employment; and
 - (ii) the airship does not carry passengers or freight for hire or reward.

Ratings for special purposes

61.15.7 (1) The ratings for special purposes associated with an Airship Pilot Licence are a night rating and an airship flight instructor rating (Grade III and Grade II).

(2) An application for the ratings referred to in subregulation (1) must be made in accordance with the regulations in Subpart 20 or 21 and Subpart 24.

Maintenance of competency

61.15.8 (1) The holder of an Airship Pilot Licence must undergo a revalidation check within 12 months from the date of initial issue of the licence and after that within a period of 24 months calculated from the date of revalidation.

(2) The revalidation check referred to in subregulation (1) must be completed within 90 days prior to expiry of the class or type rating of the licence.

(3) The holder of an Airship Pilot Licence may not act as pilot-in-command of an airship with passengers on board unless he or she has, within the 90 days immediately preceding the flight executed not less than three ascents in an airship of the same type.

(4) The holder of an Airship Pilot Licence who has not maintained competency by passing a revalidation check or an initial licence skills test in the same category of aircraft within the 24 months following the issue or revalidation of such licence must comply with the following requirements:

- (a) in the case of a holder of an Airship Pilot Licence where the maintenance of competency has lapsed by less than 36 months, the licence holder is required to:
 - (i) undergo a minimum of one period of dual flight instruction and fly at least three hours aloft under supervision; and
 - (ii) pass a revalidation check in the same type of airship.
- (b) in the case of a holder of an Airship Pilot Licence where the maintenance of competency has lapsed by more than 36 months, the licence holder is required to:
 - (i) rewrite the air law examination;
 - (ii) undergo a minimum of one period of dual flight instruction and fly at least three hours aloft under supervision; and
 - (iii) pass an initial licence skills test in the same type of airship.

(5) The holder of an Airship Pilot Licence who has not flown a minimum of three hours as PIC of airships in the six months preceding a revalidation check must undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of an Airship Pilot Licence, and meet the recency requirements to act as PIC.

Recency requirements for an Airship Pilot Licence

61.15.9 The holder of an Airship Pilot Licence must comply with the recency requirements referred to in Part 91.

SUBPART 16 COMMERCIAL AIRSHIP PILOT LICENCE

Requirements for a Commercial Airship Pilot Licence

61.16.1 (1) An applicant who applies to be issued with a Commercial Airship Pilot Licence must:

- (a) be 18 years of age or older;
- (b) hold a valid Class 1 medical certificate issued in terms of Part 67;
- (c) hold a valid general radiotelephony operator's certificate;
- (d) show evidence of holding a valid Airship Pilot Licence or having held, within the previous 60 months, any of the following:
 - (i) an Airship Pilot Licence issued by an appropriate authority; or
 - (ii) a Recreational Pilot Licence issued in terms of Part 62;
- (e) have successfully completed the training set out in Document NAM-CATS-FCL-61 with an approved ATO;

- (f) have passed the theoretical knowledge examination set out in Document NAM-CATS-FCL-61; and
 - (g) have undergone the skills test referred to in regulation 61.16.4.
- (2) An applicant for the issuing of a Commercial Airship Pilot Licence must have completed not less than 200 hours as a pilot, which must include:
- (a) not less than 50 hours as pilot of airships;
 - (b) 30 hours in an airship as pilot in command under supervision, which must include 10 hours of cross-country flight time and 10 hours of night flight time;
 - (c) 40 hours of instrument instruction time of which 20 hours is in flight and 10 hours in flight in airships; and
 - (d) 20 hours of flight instruction in the training areas specified in Document NAM-CATS-FCL-61.

Application for, and issue of, a Commercial Airship Pilot Licence

61.16.2 (1) An application for a Commercial Airship Pilot Licence must be made to the Executive Director on the appropriate form set out in Document NAM-CATS-FCL 61 within 30 days of the skills test.

- (2) The application referred to in subregulation (1) must be accompanied by:
 - (a) a valid Class 1 medical certificate, issued in terms of Part 67;
 - (b) documentary evidence of compliance with paragraph (d) of subregulation (1) of regulation 61.16.1(1);
 - (c) the original documentation proving that the applicant has passed the theoretical knowledge examination referred to in paragraph (f) of subregulation (1) of regulation 61.16.1;
 - (d) the applicant's flying logbook summarised in the form set out in Document NAM-CATS-FCL 61;
 - (e) the skills test report set out in Document NAM-CATS-FCL 61;
 - (f) two recent passport-size photographs of the applicant, unless such applicant is the holder of another pilot licence issued in terms of Part 61 or Part 62; and
 - (g) the appropriate fee as prescribed in Part 187.
- (3) The Executive Director must issue a Commercial Airship Pilot Licence, if he or she is satisfied:
 - (a) that the applicant complies with the requirements referred to in regulation 61.16.1;
 - (b) that the applicant is a fit and proper person within the meaning of section 69 of the Act to exercise the privileges of an aviation document in accordance with the provisions of the Act; and

- (c) complies with the applicable requirements of section 68 of the Act.
- (4) A Commercial Airship Pilot Licence must be issued in the form determined by the Executive Director.
- (5) The holder of a Commercial Airship Pilot Licence must, upon receipt of the Commercial Airship Pilot Licence, immediately affix his or her usual signature on the licence in ink in the space provided for such purpose.

Theoretical knowledge examination

61.16.3 An applicant for the issue of a Commercial Airship Pilot Licence must have passed the appropriate written examination referred to in paragraph (f) of subregulation (1) of regulation 61.16.1 within a period of 36 months and have passed the last theoretical knowledge examination within six months preceding the skills test for a Commercial Airship Pilot Licence.

Skills test

61.16.4 (1) An applicant who applies for the issue of a Commercial Airship Pilot Licence must demonstrate to a designated examiner, the ability to perform, as pilot-in-command of an airship, the procedures and manoeuvres set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of a Commercial Airship Pilot Licence.

(2) The applicant who applies for a Commercial Airship Licence must have undergone the skills test referred to in subregulation (1), within the 90 days immediately preceding the date of application.

(3) The skills test referred to in subregulation (1) must be conducted in an airship.

(4) The holder of a Commercial Airship Pilot Licence must have flown a minimum of three hours as pilot of airships in the six months preceding the relevant skills test.

Period of validity of Commercial Airship Pilot Licence

61.16.5 A Commercial Airship Pilot Licence is valid subject to the condition that:

- (a) the licence is accompanied by a valid Class 1 medical certificate as prescribed in subregulation (1) of regulation 61.16.1;
- (b) the licence holder annually complies with the maintenance of competency in terms of regulation 61.16.8;
- (c) the licence holder pays currency fee prescribed in regulation 61.01.28 accompanied by certified copies of the last three pages of the logbook containing entries indicating a record of flight times, an annual summary indicating flight time per category, class, type and total time as well as certified copies of any endorsements entered into the logbook in the preceding 12 months, as required in subregulation (10) of regulation 61.01.6; and
- (d) the licence holder satisfies the condition set out in section 68(4) of the Act.

Privileges of Airship Pilot Licence for commercial purposes

61.16.6 (1) The holder of a Commercial Airship Pilot Licence may not exercise the privileges of that licence unless he or she:

- (a) holds a valid Class 1 medical certificate issued in terms of Part 67;
- (b) has submitted a copy of the medical certificate to the Authority, as required in regulation 61.01.13;
- (c) complies with the requirements for maintenance of competency in regulation 61.16.8; and
- (d) satisfies the condition set out in section 68(4) of the Act.

(2) Subject to the requirements of subregulation (1) the holder of a valid Commercial Airship Pilot Licence is entitled to:

- (a) exercise all the privileges of an Airship Pilot Licence; and
- (b) act as pilot-in-command in commercial operations, in any airship which has been certificated for use in such commercial operations and for which the holder is type rated.

(3) The holder of the licence is entitled to exercise the privileges of the licence for the special purposes referred to in regulation 61.16.7, if the holder holds the appropriate valid rating.

Ratings for special purposes

61.16.7 (1) The ratings for special purposes associated with a Commercial Airship Pilot Licence are a night rating and an airship flight instructor rating.

(2) An application for the ratings referred to in subregulation (1) must be made in accordance with the regulations in Subpart 19, 20 or 21 and 24.

Maintenance of competency

61.16.8 (1) The holder of a Commercial Airship Pilot Licence must undergo a revalidation check within 12 months from the date of initial issue of the licence and from the date of revalidation.

(2) The revalidation check referred to in subregulation (1) must be completed within 90 days prior to expiry of the class or type rating of the licence.

(3) The holder of a Commercial Airship Pilot Licence may not act as pilot-in-command of an airship transporting passengers unless he or she has, within the 90 days immediately preceding the flight executed not less than three ascents in an airship of the same type.

(4) The holder of a Commercial Airship Pilot Licence who has not maintained competency by passing a revalidation check or an initial licence skills test in the same category of aircraft within the 12 months following the issue or revalidation of such licence must comply with the following requirements:

- (a) in the case of a holder of a Commercial Airship Pilot Licence where the maintenance of competency has lapsed by less than 36 months, the licence holder is required to:

- (i) undergo a minimum of one period of dual flight instruction and fly at least three hours aloft under supervision; and
 - (ii) pass a revalidation check in the same type of airship;
- (b) in the case of a holder of a Commercial Airship Pilot Licence where the maintenance of competency has lapsed by more than 36 months, the licence holder is required to:
 - (i) rewrite the air law examination;
 - (ii) undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of a Commercial Airship Pilot Licence, and meet the recency requirements to act as PIC; and
 - (iii) pass an initial licence skills test in the same type of airship.

(5) The holder of a Commercial Airship Pilot Licence who has not flown a minimum of six hours as PIC of airships in the six months preceding a revalidation check must undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of a Commercial Airship Pilot Licence and meet the recency requirements to act as PIC.

Recency requirements for a Commercial Airship Pilot Licence

61.16.9 The holder of a Commercial Airship Pilot Licence must comply with the recency requirements of regulation 91.02.4.

SUBPART 17 CLASS AND TYPE RATINGS

Requirements for and the issue of class and type ratings

61.17.1 (1) This Subpart applies to the issuing, revalidating and reissuing of Namibian pilot class and type ratings and warbird type endorsements and the privileges and limitations of such class and type ratings and warbird type endorsements.

(2) An aircraft class rating is required in order to pilot all types of aircraft within a particular aircraft class.

(3) A class rating is required for all single-pilot aircraft, except for those falling outside the classes defined in paragraph (b) of subregulation (1) of regulation 61.01.4, or as designated by the Executive Director in terms of paragraph (d) of subregulation (1) of regulation 61.01.4 as requiring a type rating.

(4) An aircraft type rating is required in order to pilot a type of aircraft that is not included within any of the aircraft classes set out in paragraph (b) of subregulation (1) of regulation 61.01.4.

(5) A type rating is required for all MP aircraft, other aircraft and warbirds as indicated in this Subpart.

(6) All licence endorsements in respect of aircraft class and type ratings are set out in Document NAM-CATS-FCL 61.

(7) Although an applicant will have an endorsement in his or her licence for a class rating, a change to another type or variant of the aeroplane within one class rating will require differences training, as indicated in Tables 1-10 of NAM-CATS-FCL 61.17.8 and such training must be endorsed into the pilot logbook.

(8) Differences training is also required for a transition between different types within a class rating.

(9) The differences training form set out in Document NAM-CATS-FCL 61 must be forwarded to the Executive Director within 30 days of completion of the training.

(10) An applicant for a type rating in respect of a MP aeroplane must have:

- (a) at least 100 hours experience as pilot-in-command of aeroplanes;
- (b) successfully completed appropriate training referred to in this Subpart;
- (c) passed an appropriate written examination set out in Document NAM-CATS-FCL 61; and
- (d) passed appropriate skills test referred to in this Subpart with an appropriately rated Designated Flight Examiner (Aeroplanes).

(11) An applicant for a class or type rating, as the case may be, in respect of a single-pilot multi-engine aeroplane must have:

- (a) at least 70 hours as pilot-in-command of aeroplanes;
- (b) successfully completed appropriate training referred to this subpart;
- (c) passed appropriate written examinations set out in Document NAM-CATS-FCL 61; and
- (d) passed appropriate skills test referred to in this Subpart.

(12) An applicant for a type rating in respect of a MP helicopter must have:

- (a) at least 100 hours as pilot-in-command of helicopters;
- (b) successfully completed appropriate training referred to in this Subpart;
- (c) passed the appropriate written examinations set out in Document NAM-CATS-FCL 61; and
- (d) passed appropriate skills test referred to in this Subpart carried out by a Designated Flight Examiner (Helicopters).

(13) An applicant for a class rating in respect of a single-pilot helicopter must have:

- (a) at least 25 hours flight time on helicopters of which a minimum of three hours must be as pilot-in-command of helicopters;
- (b) successfully completed appropriate training referred to in this Subpart;
- (c) passed the appropriate written examinations set out in Document NAM-CATS-FCL 61; and
- (d) passed appropriate skills test referred to in this Subpart.

- (14) An applicant for a type rating in respect of a warbird type aircraft must:
 - (a) hold the category and class rating for the relevant aircraft;
 - (b) have successfully completed appropriate training referred to in this Subpart;
 - (c) have passed the appropriate written examinations set out in Document NAM-CATS-FCL 61; and
 - (d) have passed appropriate skills test referred to in this Subpart.
- (15) An applicant for a type rating in respect of a powered-lift aircraft must:
 - (a) hold the category and class rating for the relevant aircraft;
 - (b) have successfully completed appropriate training referred to in this Subpart;
 - (c) have passed the appropriate written examinations set out in Document NAM-CATS-FCL 61; and
 - (d) have passed appropriate skills test referred to in this Subpart.
- (16) An applicant for a type rating in respect of a glider must:
 - (a) hold the category and class rating for the relevant glider;
 - (b) have successfully completed appropriate training referred to in this subpart;
 - (c) have passed the appropriate written examinations set out in Document NAM-CATS-FCL 61; and
 - (d) have passed appropriate skills test referred to in this Subpart.

(17) An applicant for the issuing of an initial type rating for a touring motor glider must have completed not less than 35 hours flight time as a pilot of a touring motor glider which must include a minimum total of 40 flights, including 20 solo flights: Provided that the solo flights include a minimum of 15 hours of solo flight time, which includes- one flight of minimum 30 minutes flight time continuous engine off, with:

- (a) a shutdown not exceeding 3000 ft. AGL of the intended landing site; and
- (b) a soaring circuit and engine off landing;
- (c) two dual cross-country flights with a duration of not less than 90 minutes flown at normal cruising speed, of which at least one will be a navigation test;
- (d) one solo cross-country flight, duration of not less than 90 minutes flown at normal cruising speed including a full stop landing at a point other than the point of departure and destination (with no engine shutdown or soaring requirement); and
- (e) at least one dual and one solo flight into controlled airspace, including a full stop landing and take-off at a controlled airfield.

(18) An applicant for the issuing of an additional type rating for a touring motor glider must have completed not less than two flights of which one must be a solo flight of a minimum of one hour flying time including at least three take offs and landings during this time and must:

- (a) undergo a skills test with a Grade I or II instructor with the appropriate type rating as set out in Document NAM FCL-CATS 61;
- (b) with the examiner at the dual controls, perform at least 5 take-offs and 5 landings and any other exercise considered necessary; and
- (c) pass the technical exams as set out in Document NAM-CATS 61.

(19) An applicant with experience in microlight aeroplanes or light sport aeroplanes or the holder of another pilot licence issued in terms of this Part, may apply for an exemption from the requirements specified under subregulation (14) and (15) in accordance with Part 3 of the Regulations.

(20) An applicant who is the holder of a Recreational Pilot licence with a category rating for gyroplanes or weight-shift controlled microlight aeroplane, referred to in Subpart, the applicant may apply for an exemption from the requirements in terms of Part 3 of the regulation 61.03.1(2)(b).

(21) An applicant for the issuing of an initial type rating for conventional or power assisted gliders must have completed not less than 40 flights as a pilot of a conventional glider or power assisted glider which must include:

- (a) a minimum total of 20 solo flights;
- (b) a minimum of 10 flights accumulated per launch method;
- (c) a minimum of six hours of solo flight, of which;
 - (i) one flight must be at least two hours;
 - (ii) one flight of minimum 30 minutes flight time (for powered assisted gliders with engine off), with the launch not exceeding 3000 ft. AGL of the intended landing site; and an ascend of at least two times the launch height, (for powered assisted gliders engine off).

(22) An applicant for the issuing of an additional type rating by name, in the category conventional or power assisted glider must have completed not less than:

- (a) minimum total of one flight, including one solo flight; and
- (b) one flight of minimum 30 minutes flight time.

(23) To obtain a first type rating for a conventional or power assisted glider, an applicant may be credited with dual instruction flights on a touring motor glider, accumulated in the category touring motor gliders, towards the minimum total flights required under regulation 61.01.20.

(24) An applicant with reasonable experience on a type in the other class who wants to obtain a type rating for conventional or power assisted gliders, the applicant must complete not less than:

- (a) a minimum total of one flight, including one solo flight; and
- (b) one flight of not less than 30 minutes flight time.

(25) An applicant with experience as the holder of a recreational pilot licence or the holder of a pilot licence issued in terms of this Part, may apply for an exemption from the requirements in terms of Subpart 3 of the Regulations, for a conventional or power assisted glider first type rating, if the applicant meet the minimum requirements referred to in subregulation (21).

(26) An applicant for a type rating in respect of a free balloon aircraft must:

- (a) hold the category and class rating for the relevant free balloon;
- (b) have successfully completed appropriate training referred to in this Subpart;
- (c) have passed the appropriate written examinations set out in Document NAM-CATS-FCL 61; and
- (d) have passed appropriate skills test referred to in this Subpart.

(27) An applicant for a type rating in respect of an airship must:

- (a) hold the category and class rating for the relevant airship;
- (b) have successfully completed appropriate training referred to in this subpart;
- (c) have passed the appropriate written examinations set out in Document NAM-CATS-FCL 61; and
- (d) have passed appropriate skills test referred to in this Subpart.

Training

61.17.2 (1) An applicant for the issue of a class or type rating must have successfully completed the appropriate training set out in Document NAM-CATS-FCL 61.

(2) In the case an applicant is training for a single-pilot multi-engine class rating, or a first single-pilot multi-engine type rating, the training must consist of at least:

- (a) seven hours of theoretical knowledge instruction in multi-engine aeroplane operation; and
- (b) six hours dual flight training in multi-engine aeroplane operation, including not less than 2 hours 30 minutes dual flight training under normal conditions, and at least three hours 30 minutes dual flight training in engine failure procedures and asymmetric flight.

(3) At least three hours of the dual flight training referred to in paragraph (b) of subregulation (2) may be acquired in an approved FSTD.

(4) An applicant for a type or class rating on a high performance single pilot aeroplane who is not the holder of an Airline Transport Pilot Licence (ATPL), or who has not obtained credit for the ATPL theoretical knowledge examinations, must undergo the additional training set out in Document NAM-CATS-FCL 61.

- (5) An applicant for a warbird type rating:
 - (a) who is the holder of an ATPL with applicable military type experience may be endorsed with the applicable warbird type rating;
 - (b) who is the holder of an ATPL without applicable military type experience must undergo training set out in Document NAM-CATS-FCL 61 for endorsement of the warbird type rating contemplated;
 - (c) who is the holder of all ATPL theoretical knowledge credits and has applicable military type experience may be endorsed with the applicable warbird type rating; or
 - (d) who is the holder of all ATPL theoretical knowledge credits but who does not have applicable military type experience, must undergo training as described in Document NAM-CATS-FCL 61 for endorsement of the warbird type rating contemplated.
- (6) Pilots operating in terms of Parts 91, 94, 96, 121, 127, 135 and 138, where two or more pilots are required for the operation of the aircraft, must undergo a multi-crew cooperation training course set out in Document NAM-CATS-FCL 61.

Skills test

61.17.3 (1) An applicant for the issue of a type rating or multi-engine class rating must demonstrate to a designated examiner, the competence to perform as pilot-in-command of the aircraft concerned, the procedures and manoeuvres set out in Document NAM-CATS-FCL 61.

(2) An applicant for a rating in any other class referred to in regulation 61.17.9 must demonstrate to a Designated Flight Examiner, or an appropriately rated flight instructor, the competence to perform as pilot-in-command of the aircraft concerned the procedures and manoeuvres set out in Document NAM-CATS-FCL 61.

(3) An applicant for the issue of a warbird type endorsement must demonstrate, to a Designated Flight Examiner or an appropriately rated flight instructor or other pilot authorised in writing by the Executive Director for the purpose, the competence to perform as pilot-in-command of the aircraft concerned, the procedures and manoeuvres set out in Document NAM-CATS-FCL 61.

(4) The applicant referred to in subregulation (1) must have undergone the skills test referred to in that subregulation within 90 days of passing the theoretical knowledge examination referred to in regulation 61.17.1 and within the 90 days immediately preceding the date of application for the warbird type rating.

(5) An applicant for the issuing of a type rating, who is the holder of an airline transport pilot licence, must have demonstrated to a designated examiner, the ability to perform the procedures and manoeuvres referred to in subregulation (1), with a degree of competency appropriate to the privileges granted to the holder of an Instrument Rating.

(6) The skills test referred to in subregulation (1) must have been conducted in an aircraft appropriate to the pilot licence held by the applicant, or in an approved FSTD.

Circumstances in which type or class ratings are required

61.17.4 (1) The holder of a pilot licence may not act in any capacity as a pilot of an aircraft, except as a pilot undergoing skills testing or receiving flight instruction, unless the holder has a valid and appropriate class or type rating.

(2) The holder of a pilot licence may not act in any capacity as a pilot of a warbird, except as a pilot undergoing skills testing or receiving flight instruction, unless the holder has a valid and appropriate class or type rating applicable to the warbird.

(3) The Authority must endorse the conditions or limitations determined by the Authority in respect of a rating on the rating.

Special authorisation for type or class ratings

61.17.5 Instead of issuing the class or type rating, the Executive Director may designate a pilot in writing in accordance with regulation 61.01.21 to issue such ratings.

Application for class or type rating

61.17.6 (1) An application for a class, type or warbird rating must be made to the Executive Director on the appropriate form set out in Document NAM-CATS-FCL 61.

(2) The application referred to in subregulation (1) must be accompanied by:

- (a) documentary evidence of satisfying the requirements of the relevant provisions of this subpart; and
- (b) the appropriate fee as prescribed in Part 187.

(3) If the applicant contemplated in subregulation (1) wishes to apply for a class or type rating in respect of more than one class or type of aircraft, a separate application must be made in respect of each type of aircraft.

(4) If the applicant referred to in subregulation (1) complies with all the relevant requirements, the Executive Director must issue a class, type or warbird rating in the appropriate form set out in Document NAM-CATS-FCL 61.

(5) The Designated Flight Examiner or a flight instructor must, on satisfactory completion of all the requirements for the issue of a class or type rating, endorse the logbook of the applicant entitling the applicant to exercise the privileges of the rating, as pilot-in-command or pilot instructor as the case may be.

(6) The Designated Flight Examiner or flight instructor referred to in subregulation (5) may place a restriction on the applicant to act as co-pilot or as third pilot as the case may be.

(7) The application form for the endorsement of a warbird, class or type rating must be completed and submitted to the Executive Director by the applicant within 30 days of the performance of the skills test.

(8) The Executive Director may in terms of the Act revoke the privilege of a rating endorsed in terms of this regulation if any irregularity with respect to the endorsement is found.

Period of validity of class or type rating

61.17.7 (1) A type rating is valid for a period of 12 months calculated from the date of issue, revalidation or re-issue of the rating.

(2) A class rating issued to the holder of a private pilot licence, is valid for:

- (a) a period of 12 months calculated from the date of issue of the rating; and

- (b) a period of 24 months calculated from the date of revalidation or renewal or re-issue of the rating.

(3) A class rating issued to the holder of any other pilot licence, is valid for a period of 24 months calculated from the date of issue, renewal, revalidation or re-issue of the rating.

(4) Despite subregulation (1) a class rating or type rating for touring motor, conventional or power assisted gliders is valid for as long as the Glider Pilot Licence itself remains valid: Provided that the privileges of the class rating or type rating may not be exercised by the holder of the rating unless he or she:

- (a) has acted as pilot-in-command of a touring motor, conventional or powered assisted glider for a minimum of five hours flight time or 10 flights in the 12 months immediately preceding the intended flight and such minimum flight time may include check flights or flights undertaken by the pilot whilst receiving training appropriate to the type of glider; or
- (b) has:
 - (i) passed a skills test with an appropriately rated flight instructor within 90 days immediately preceding the intended flight; and
 - (ii) if transporting a passenger, within the 90 days immediately preceding the flight on which such passenger is to be transported, as pilot-in-command, has executed not less than three take-offs and three landings in a touring motor glider or not less than 3 flights in a conventional or powered assisted glider.

Privileges and variants

61.17.8 (1) Subject to the provisions of the Act and regulation 61.17.1, a person is entitled to act as pilot-in-command of an aircraft for which he or she is the holder of an appropriate valid class and type rating.

(2) A person who receives training for the purpose of applying for a class or type rating, may act as pilot-in-command of an aircraft in respect of which he or she does not hold the rating, if:

- (a) the flight is not for remuneration or reward;
- (b) no passengers or cargo are transported in the aircraft; and
- (c) the training is conducted by an appropriately type rated flight instructor.

(3) In order to extend his or her privileges to another variant of aircraft within one class or type rating, a pilot must undertake differences or familiarisation training and in the case of variants within a type rating, the differences or familiarisation training includes the relevant elements defined in the operational suitability data (OSD) provided to the operator on acquisition of that type of aircraft.

(4) If the variant of an aircraft referred to in subregulation (3) has not been flown within a period of two years following the differences training, further differences training or a proficiency check in that variant is required to maintain the privileges, except for types or variants within the single-engine piston and TMG class ratings.

(5) The differences training referred to in subregulation (3) and (4), conducted must be entered in the pilot's logbook and signed by the instructor as appropriate.

(6) The holder of a class rating for piston-engine aeroplanes is entitled to exercise the privileges of the rating, if such holder holds a type within the class for:

- (a) single-engine (SEP) piston aeroplanes with a maximum certificated mass of 5 700 kilograms or less, endorsed in the logbook of such holder; or
- (b) multi-engine (MEP) piston aeroplanes, with a maximum certificated mass of 5 700 kilograms or less, endorsed in the logbook of such holder.

(7) The holder of a class rating for single-pilot helicopters is entitled to exercise the privileges of the rating, if such holder holds a type within the class, for all single-pilot helicopters in the class if the skills test was conducted in the single-pilot helicopter with the highest maximum certificated mass within the class.

(8) The holder of a type rating for a piston-engine aeroplane with a maximum certificated mass exceeding 5 700 kilograms is entitled to exercise the privileges of the rating in the type of aeroplane in which the skills test for the issuing of such rating, was conducted provided that, if such holder holds more than one type rating for:

- (a) single-engine piston aeroplanes and the skills test was conducted in the type of single-engine piston aeroplane with the highest maximum certificated mass, such holder is entitled to exercise the privileges of the rating in all single-engine piston engine aeroplanes for which he or she is type rated; or
- (b) single-engine and multi-engine piston aeroplanes and the skills test was conducted in a multi-engine piston aeroplane, such holder is entitled to exercise the privileges of the rating in the single-engine and multi-engine piston engine aeroplanes for which he or she is type rated.

(9) The holder of a type rating for a turbo propeller aeroplane is entitled to exercise the privileges of the rating in the type of aeroplane in which the skills test for the issuing of such rating, was conducted provided that, if such holder holds more than one type rating for:

- (a) single-engine turbo propeller aeroplanes and the skills test was conducted in the type of single-engine turbo propeller aeroplane with the highest maximum certificated mass, such holder is entitled to exercise the privileges of the rating in all single-engine turbo propeller and the single-engine piston aeroplanes for which he or she is type rated; or
- (b) single-engine and multi-engine turbo propeller aeroplanes and the skills test was conducted in a multi-engine turbo propeller aeroplane, such holder is entitled to exercise the privileges of the rating in the single-engine and multi-engine turbo propeller and single- and multi-engine piston aeroplanes for which he or she is type rated.

(10) The holder of a type rating for a turbojet aeroplane is entitled to exercise the privileges of the rating:

- (a) in the type of aeroplane in which the skills test for the issue of such rating was conducted; or

- (b) if more than one type rating is held, in one of the types on a rotational basis: Provided that the holder has successfully completed an operator proficiency check on each type every six months and provides proof of such proficiency check or an endorsement in the holder's logbook in the case of variants where training by a qualified and approved instructor has been conducted in accordance with regulation 61.17.2.
- (11) The holder of a type rating for a helicopter is entitled to exercise the privileges of the rating:
 - (a) in the type of helicopter in which the skills test for the issue of such rating was conducted, or
 - (b) if more than one type rating is held, in one of the types on a rotational basis: Provided that the holder has successfully completed an operator proficiency check on each type every six months and provides proof of such proficiency check or in the case of variants, an endorsement in the holder's logbook where training by a qualified and approved instructor has been conducted in accordance with regulation 61.17.2.
- (12) The holder of a class or type rating for a touring motor glider is entitled to act as pilot-in-command of the touring motor glider for which he or she is rated: Provided that it is not operated for the provision of an air service:
 - (a) within Class F and Class G airspace;
 - (b) within controlled airspace unless:
 - (i) prior permission has been obtained from the responsible air traffic service unit to enter such airspace;
 - (ii) a two-way radio communication as the air traffic service unit may require, is established;
 - (iii) continuous radio watch is maintained; and
 - (iv) while within an aerodrome traffic zone, the appropriate radio position reporting procedure is complied with.
- (13) Despite paragraph (a), of subregulation (12) the holder of a type rating for a touring motor glider may exercise the privileges of his or her rating for remuneration in an aircraft operated in terms of Part 96: Provided that he or she is the holder of a valid Part 96 authorisation in terms of Part 62.
- (14) The holder of a class rating or a type rating for a conventional or power assisted glider is entitled to act as pilot-in-command of conventional or power assisted glider for which he or she is rated: Provided that it is not operated for the provision of an air service:
 - (a) within Class F and Class G airspace;
 - (b) within controlled airspace unless:
 - (i) prior permission has been obtained from the responsible air traffic service unit to enter such airspace;

- (ii) a two-way radio communication as the air traffic service unit may require, is established;
- (iii) continuous radio watch is maintained; and
- (iv) while within an aerodrome traffic zone, the appropriate radio position reporting procedure is complied with.

(15) Despite paragraph (a) of subregulation (14) the holder of a type rating for a conventional or power assisted glider may exercise the privileges of his or her rating for remuneration in an aircraft operated in terms of Part 96: Provided that he or she is the holder of a valid Part 96 authorisation issued in terms of Part 62.

(16) The holder of a group type rating for free balloons is entitled to exercise the privileges of the rating in all free balloons endorsed in the logbook of such holder.

(17) The holder of a type rating for airships is entitled to exercise the privileges of the rating in all types of airships endorsed in the logbook of such holder.

(18) If the type variant has not been flown within a period of 24 months following the differences training or the date of last having flown the variant, further differences training or a proficiency check in that variant will be required as set out in Document NAM-CATS-FCL 61.

(19) Differences training set out in Document NAM-CATS-FCL 61 requires additional knowledge and training on an approved FSTD or aircraft to convert an applicant onto the type or class of aircraft under consideration.

(20) The differences training referred to in subregulation (19) must be endorsed in the pilot's logbook and duly signed by the appropriately rated instructor who conducted the training.

(21) Familiarisation training requires acquisition of additional knowledge specific to the individual aircraft under consideration and should not require actual or FSTD flight time.

Transfer of foreign class and type ratings

61.17.9 (1) The Executive Director may, in terms of Article 33 of the Convention, transfer to a Namibian Pilot Licence a valid class or type rating, or a model or variant of an aircraft within a class or type rating which an appropriate authority has endorsed in a licence and logbook of an applicant: Provided that the requirements for the ratings that were issued or renewed are equal to or above the minimum standards of this Part and that the aircraft type or types has or have been accepted on the Namibian Aircraft Register.

(2) The holder of a Namibian Pilot Licence who wishes to have the endorsements referred to in subregulation (1) added to his or her licence must make a written application to the Executive Director showing proof that the required training and testing was successfully completed at an approved ATO.

(3) If a Namibian Pilot Licence holder wishes to undergo training for the addition of a class rating, type rating, model or variant to his or her licence at a foreign ATO, he or she must request approval in writing from the Executive Director and to allow for up to 14 days for such approval.

(4) Any training required for the purpose of this regulation and conducted at a foreign ATO without prior approval may not be accepted.

(5) If a FSTD is to be used for the training referred to in this regulation, the FSTD must be approved in terms of these regulations or the requirements of the appropriate authority.

Revalidation

61.17.10 A type and class rating is valid for the period referred to in regulation 61.17.7.

- (2) To revalidate an aeroplane class or type rating the holder of the rating must:
 - (a) within 90 days immediately prior to the date of expiry of the class rating, pass a skills test on a type within the class with a Designated Flight Examiner;
 - (b) within 90 days immediately prior to the date of expiry of the type rating for piston engine and turbo-props, pass a skill test on the type with the highest certificated mass with a Designated Flight Examiner;
 - (c) within 90 days immediately prior to the date of expiry of the type rating for turbojets, pass a skills test with a Designated Flight Examiner on one of the types for which a revalidation is sought as set out in regulation 61.17.8 (9); and
 - (d) in addition for a type rating test, within the three months immediately preceding the date of expiry, provide proof of having attended a refresher course conducted by an approved ATO.
- (3) To revalidate a helicopter class and type rating the holder must:
 - (a) within 90 days immediately prior to the date of expiry of the class and type rating, pass a skills test with a Designated Flight Examiner on each type for which a revalidation is sought; and
 - (b) in addition for a complex type, within the three months immediately preceding the date of expiry, provide proof of having attended a refresher course conducted by an approved ATO.

(4) The type or class rating referred to in subregulation (3) will be revalidated in terms of this regulation from the current expiry date of the rating, unless the skills test was completed earlier than 90 days before expiry, in which case the type or class rating will be revalidated from the date of the skills test.

(5) If the rating referred to in subregulation (3) has lapsed for a period not exceeding 36 months, the applicant must undergo appropriate refresher training and pass a proficiency check, with a Designated Flight Examiner, set out in Document NAM-CATS-FCL 61 in an aircraft appropriate to the particular type or class rating being renewed.

(6) If the validity of the type or class rating has lapsed for more than 36 months the applicant must:

- (a) complete the appropriate training for the type or class rating sought with an approved ATO; and
- (b) pass a proficiency check, with a Designated Flight Examiner, set out in Document NAM-CATS-FCL 61, in an aircraft or FSTD of the category appropriate to the particular rating being renewed.

(7) If the applicant passes the proficiency check referred to in subregulation (2), (4) and (5) as applicable, the DFE must:

- (a) complete and submit to the Executive Director, the appropriate form set out in Document NAM-CAT-FCL 61; and
- (b) endorse the holder's pilot logbook set out in Document NAM-CATS-FCL 61.

(8) The applicant must submit the revalidation check form within 30 days of having completed the check, together with the applicable fee as prescribed in Part 187.

(9) If the result of the skills test contemplated in subregulation (2), (4) or (5) as applicable, reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the relevant privileges, the Designated Flight Examiner must:

- (a) inform the applicant that he or she does not meet the requirements for the revalidation of the rating and that he or she must, with immediate effect, not exercise the privileges of the rating until such time he or she meets the all the requirements for the revalidation or re-issue of the rating; and
- (b) report such result to the Executive Director in writing.

SUBPART 18 INSTRUMENT RATING

General

61.18.1 (1) Except when receiving flight training or undergoing a skills test a person may not act as pilot of an aircraft in accordance with instrument flight rules (IFR) or in instrument meteorological conditions (IMC) unless that person has a valid Instrument Rating (IR) appropriate to the aircraft being flown.

- (2) An IR may be endorsed with the following when applicable:
 - (a) single-engine aeroplanes (SEA);
 - (b) multi-engine aeroplanes (MEA);
 - (c) single- and multi-engine helicopters (H); or
 - (d) RNAV (GNSS).

Requirements for Instrument Rating

61.18.2 (1) An applicant for the issue of an Instrument Rating must:

- (a) hold a valid pilot licence;
- (b) hold a general radiotelephony operator's certificate;
- (c) hold a valid night rating, unless such rating is an integral part of the pilot licence;
- (d) hold a valid Class 1 medical certificate issued in terms of Part 67;
- (e) have successfully completed the training set out in in Document NAM-CATS-FCL 61 with an approved ATO;

- (f) have passed the theoretical knowledge examination referred to in regulation 61.18.4; and
 - (g) have undergone the skill test referred to in regulation 61.18.5.
- (2) An applicant for the issue of an Instrument Rating must have completed at least:
- (a) 50 hours of cross-country flight time as pilot-in-command of an aircraft, of which not less than 10 hours must be in an aeroplane, helicopter, powered-lift or airship as the case may be; and
 - (b) 40 hours of instrument flight instruction time, of which not more than 20 hours may be in a FSTD.

(3) In the case of an Instrument Rating for a multi-engine aircraft, at least five hours instrument flight training referred to in paragraph (b) of subregulation (2) must be conducted on the type of aircraft to be used for the skills test and is additional to the initial multi-engine class rating training.

(4) In the case of an application for an Instrument Rating in a category of aircraft other than that for which a valid Instrument Rating is already held, the applicant must have undergone, in addition to the requirements of paragraph (b) of subregulation (2), at least another five hours of instrument flight instruction in the new category of aircraft prior to the skills test: Provided that 3 of the five hours may be conducted in an approved FSTD.

(5) An aircraft, used for the purpose of acquiring instrument flight time with an instructor or in a skills test, must be equipped for IFR flight and be fitted with fully functioning dual controls.

Application for an Instrument Rating

61.18.3 (1) An application for an Instrument Rating must be made to the Executive Director in the appropriate form set out in Document NAM-CATS-FCL 61, and must be accompanied by the appropriate fee as prescribed in Part 187.

(2) If the applicant referred to in subregulation (1) complies with all the prescribed requirements of this Part, the Executive Director must issue an Instrument Rating in the appropriate form determined by the Executive Director.

Theoretical knowledge examination

61.18.4 An applicant for the issuing of an Instrument Rating must have passed the appropriate written examination as set out in Document NAM-CATS-FCL 61: Provided that the holder of a valid Instrument Rating applying for an Instrument Rating in a different category must not be required to write the examination again.

Skills test

61.18.5 (1) An applicant for the issue of an Instrument Rating must demonstrate to a designated examiner, the ability to perform as pilot the procedures and manoeuvres as set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of an Instrument Rating.

(2) The applicant for an Instrument Rating must have undergone the skill test referred to in subregulation (1), within 36 months of passing the theoretical knowledge examination and within 30 days of the last period of dual instruction.

(3) The skills test referred to in subregulation (1) for a helicopter Instrument Rating must have been conducted in a helicopter certificated for instrument flying, or in an approved FSTD

(4) If applicant referred to in subregulation (1) applies for an Instrument Rating in a multi-engine aircraft, the skills test must be conducted in the appropriate class of aircraft, or in an approved FSTD.

(5) If the skills test referred to in subregulation (1) was successfully completed in a multi-engine aeroplane with centre-line thrust, the rating is restricted to centre-line thrust aeroplanes, until such time as sufficient instrument flight training and skill test have been completed in a non-centre-line thrust multi-engine aeroplane or approved FSTD.

(6) If an applicant referred to in subregulation (1) has successfully completed the skills test in a multi-engine aircraft, he or she is deemed to have met the skills test requirements for a single-engine aircraft of the same category.

Period of validity of Instrument Rating

61.18.6 An Instrument Rating is valid for a period of 12 months provided that maintenance of competency for the associated licence in terms of these regulations is complied with.

Privileges

61.18.7 (1) Subject to the provisions of the Act the holder of a valid Instrument Rating:

- (a) may act, within the limitations of his or her pilot licence and particular Instrument Rating, as pilot of an aircraft in compliance with IFR and under IMC by day or by night;
- (b) may carry out an approach and a landing under IMC with the aid of approved approach aids and procedures; and
- (c) may act as safety pilot in an aircraft in respect of which such pilot holds the appropriate type rating.

(2) If the examiner or another pilot functions as a flight crew member during an initial Instrument Rating skills test, the privileges of the Instrument Rating is restricted to MP operations only.

(3) The limitation in subregulation (2) does not apply to a holder of a valid Instrument Rating who has been tested in a single-pilot aircraft without any assistance from the examiner or another pilot.

(4) The holder of an Instrument Rating who wishes to conduct RNAV (GNSS) approaches must have his or her IR endorsed with RNAV (GNSS) after having complied with the requirements as set out in Document NAM-CATS-FCL 61.

Revalidation

61.18.8 An Instrument Rating is valid for a period of 12 months calculated from:

- (a) the date of revalidation, where the rating is revalidated more than 90 days prior to expiry; or
- (b) the beginning of the month following the date of expiry of the rating, where the rating is revalidated 90 days or less prior to expiry.

- (2) To revalidate an Instrument Rating the following must be done:
 - (a) if the validation period has not lapsed or has lapsed for a period not exceeding 36 months, the applicant must pass a proficiency check with a Designated Flight Examiner, as set out in Document NAM-CATS-FCL 61, in an aircraft appropriate to the particular Instrument Rating being revalidated;
 - (b) if the validity of the Instrument Rating has lapsed for more than 36 months the applicant must:
 - (i) re-write the air law and operational procedures theoretical knowledge examinations as listed in Document NAM-CATS FCL 61;
 - (ii) acquire, in an aircraft appropriate to the particular Instrument Rating, or in a FSTD, at least 10 hours instrument time, including at least 5 instrument approach procedures and a missed approach; and
 - (iii) within 90 days of having acquired the instrument time, pass a proficiency check with a Designated Flight Examiner, as set out in Document NAM-CATS-FCL 61, in an aircraft or FSTD of the category appropriate to the particular Instrument Rating being revalidated.
- (3) If a pilot holds an Instrument Rating in more than one category of aircraft, revalidation must be alternated annually in respect of each category.
- (4) If a pilot holds an Instrument Rating in a particular category of aircraft for both single-engine and multi-engine aircraft, the revalidation of these ratings may be carried out alternately in a single-engine aircraft and a multi-engine aircraft of the particular category or in an approved FSTD.
- (5) If an Instrument Rating is not revalidating the single-pilot Instrument Rating every alternate year in a single-pilot aircraft, the single-pilot rating becomes invalid.
- (6) If the holder of an Instrument Rating passes the proficiency check referred to in subregulation (1), the Designated Flight Examiner must:
 - (a) complete, and submit to the Executive Director, the appropriate form as set out in Document NAM-CAT-FCL 61; and
 - (b) endorse the holder's pilot logbook as set out in Document NAM-CATS-FCL 61.
- (7) If the holder of a valid Instrument Rating has failed the revalidation test, the Designated Flight Examiner must notify the Executive Director immediately in writing and also inform the holder that the rating has become invalid and that he or she may not exercise the privileges of an Instrument Rating.

Maintenance of competency

61.18.9 The holder of an Instrument Rating may not act as pilot-in-command of an aircraft under IFR or in weather conditions less than the minimum prescribed for VFR, unless he or she has, within the 90 days immediately preceding such flight, by means of an instrument approach procedure or procedures which have been established by the Executive Director or by an appropriate authority:

- (a) executed at least two instrument approaches in an appropriate aircraft or an approved FSTD, under IMC or simulated IMC; or

- (b) undergone the skill test referred to in regulation 61.18.5 or revalidation proficiency check in regulation 61.18.8.

SUBPART 19 GRADE I FLIGHT INSTRUCTOR RATING

Requirements for Grade I Flight Instructor Rating

61.19.1 An applicant for the issue of a Grade I Flight Instructor Rating must:

- (a) hold a valid airline transport pilot licence for the applicable aeroplane, helicopter or powered-lift categories of aircraft;
- (b) hold a valid commercial pilot licence for the applicable free balloon or airship categories of aircraft;
- (c) for aeroplanes, helicopters and powered-lift categories -
 - (i) hold a valid Instrument Rating; and
 - (ii) hold the appropriate instrument flight training endorsement if applicable;
- (d) hold or have held during the immediately preceding 90 days, a valid Grade II flight instructor rating;
- (e) have held a Grade II Flight Instructor Rating for at least 8 months;
- (f) for the aeroplane, helicopter and powered-lift categories, must have:
 - (i) given not less than 1500 hours of flight instruction as a flight instructor; and
 - (ii) acquired in an aircraft or an approved FSTD at least 10 hours of instrument flight time during the six months immediately preceding the application;
- (g) for free balloon and airship categories, must have given not less than 500 hours of flight instruction as a flight instructor;
- (h) have successfully completed the appropriate training course as set out in Document NAM-CATS-FCL 61 with an approved ATO;
- (i) have successfully completed the instructor ground evaluation test as set out in Document NAM-CATS-FCL 61; and
- (j) have undergone the skill test referred to in regulation 61.19.3 within 30 days of successfully completing the instructor ground evaluation referred to in paragraph (i).

Application for a Grade I Flight Instructor Rating

61.19.2 (1) An application for a Grade I Flight Instructor Rating must be made to the Executive Director on the appropriate form and in the manner set out in Document NAM-CATS-FCL 61 and submitted to the Executive Director within 30 days of having completed the skills test.

(2) The application referred to in subregulation (1) must be accompanied by the appropriate fee as prescribed in Part 187.

(3) If the applicant referred to in subregulation (1) complies with the requirements referred to in regulation 61.19.1 the Executive Director must issue a Grade I Flight Instructor Rating in the appropriate form as set out in Document NAM-CATS-FCL 61.

Skills test

61.19.3 (1) An applicant for the issue of a Grade I Flight Instructor Rating must have demonstrated to a designated examiner, the ability to perform as a Grade I flight instructor the procedures and manoeuvres as set out in Document NAM-CATS-FCL 61, in the applicable category of aircraft, with a degree of competency appropriate to the privileges granted to the holder of a Grade I Flight Instructor Rating.

(2) The applicant for a Grade I Flight Instructor Rating must have undergone the skills test referred to in subregulation (1), within the 30 days immediately preceding the date of application.

(3) In case of an aeroplane, the initial skill test must have been conducted in:

- (a) a complex single- or multi-engine aircraft which has variable pitch propellers and retractable undercarriage,
- (b) in an aircraft with a turbojet engine, or
- (c) in an approved level D FSTD.

(4) In case of a helicopter, the initial skills test must be conducted in a multi-engine helicopter with fully functional dual controls, or in an approved level D FS.

(5) In the case of free balloons, initial skills test must be conducted in the class and type of free balloon for which the instructor endorsement is required.

(6) In the case of airships, initial skills test must be conducted in the class and type of airship for which the instructor endorsement is required.

(7) Before an applicant for a Grade I Flight Instructor Rating submits himself or herself for an initial skills test, he or she must provide the examiner with satisfactory written evidence that:

- (a) he or she has satisfactorily completed the required training at an approved ATO; and
- (b) the Grade I or II Flight Instructor who has provided the supervision considers the performance of the applicant as a flight instructor adequate for his or her upgrade to a Grade I Flight Instructor.

Period of validity of Grade I Flight Instructor Rating

61.19.4 (1) A Grade I Flight Instructor Rating is valid for a period of 12 months calculated from the date of issue and after that for a period of 36 months calculated from:

- (a) the date of revalidation, where the rating is revalidated within 90 days prior to expiry; or
- (b) the date of the test, where the rating has expired and must be renewed or where it is revalidated more than 90 days prior to expiry.

(2) The holder of a Grade I Flight Instructor Rating that has expired for more than 12 months, may, before a period of 60 months calculated from the date of expiry of the rating, apply to the Executive Director for the re-issue of a Grade I Flight Instructor Rating: Provided that he or she has:

- (a) attended a flight instructor seminar as described in Document NAM-CATS-FCL 61 conducted by an approved ATO; and
- (b) passed the appropriate skills test.

(3) If a period of 60 months has lapsed after the date of expiry of the rating, the holder of the expired rating may apply to the Executive Director for the re-issue of the rating, provided that the applicant complies with the following:

- (a) the re-issue of an expired Grade III flight Instructor Rating;
- (b) must give not less than 50 hours flight instruction as holder of a Grade III flight Instructor Rating issued in terms of Subpart 61.21; and
- (c) must undergo the appropriate skills test.

Privileges

61.19.5 (1) Subject to the provisions of the Act the holder of a valid Grade I Flight Instructor Rating may:

- (a) conduct the training on any class or type in the appropriate category of aircraft provided that he or she holds the appropriate class or type rating with an instructor endorsement and at least 50 hours on type or similar types;
- (b) exercise all the privileges of a Grade II and III flight instructor rating that he or she qualified for, in the appropriate category of aircraft;
- (c) in the case of aeroplanes, helicopters or powered-lift aircraft, conduct proficiency checks and skill tests for the issue of type ratings in respect of MP aircraft: Provided he or she holds the appropriate class and type rating with an instructor endorsement and at least 50 hours on type or similar types, and has been designated as an examiner in terms of Subpart 32; and
- (d) in the case of free balloons and airships, with the approval of the Executive Director conduct proficiency checks and skills test for the issue and revalidation of:
 - (i) type and class ratings in respect of any type and class rating for which he or she holds the appropriate class and type rating with an instructor endorsement; and
 - (ii) free balloon and Airship Pilot Licences and instructor ratings.

Revalidation

61.19.6 (1) To revalidate a Grade I Flight Instructor Rating, the holder of the rating must comply with the following requirements:

- (a) within the 90 days immediately preceding the date of expiry of such rating, he or she must pass the appropriate skills test with a Designated Flight Examiner; and

- (b) within the 12 months immediately preceding the date of expiry of such rating, he or she must either:
 - (i) have given not less than 20 hours of flight instruction in aeroplanes; or
 - (ii) provide proof of having attended a flight instructor refresher seminar as set out in Document NAM-CATS-FCL 61, conducted by an approved ATO.
- (2) The applicant must submit the revalidation check form within 30 days of having completed the check, together with the applicable fee as prescribed in Part 187.
- (3) If the result of the skills test contemplated in subregulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the relevant privileges, the Designated Flight Examiner must:
 - (a) inform the applicant that he or she does not meet the requirements for the revalidation of the rating and that he or she must, with immediate effect, not exercise the privileges of the rating until such time he or she meets the all the requirements for the revalidation or re-issue of the rating; and
 - (b) report such result to the Executive Director in writing.

SUBPART 20 GRADE II FLIGHT INSTRUCTOR RATING

Requirements for Grade II Flight Instructor Rating

- 61.20.1** (1) An applicant for the issue of a Grade II Flight Instructor Rating must:
- (a) hold a valid glider pilot, free balloon pilot, airship pilot, or in the case of the aeroplane, helicopter or powered-lift categories, a commercial pilot or an airline transport pilot licence;
 - (b) in addition, for the aeroplane, helicopter and powered-lift categories,
 - (c) hold a valid Instrument Rating;
 - (d) hold the appropriate instrument flight training endorsement if applicable;
 - (e) hold or have held during the immediately preceding 90 days a valid Grade III flight Instructor Rating;
 - (f) have held a Grade III flight Instructor Rating for at least 8 months and must have -
 - (i) given not less than 200 hours of flight instruction as a Grade III Flight Instructor of which 25 instructional flight hours may be accumulated and accredited in terms of the category of gliders or power gliders and another 25 instructional flight hours accumulated in any other category in this part or Part 62;
 - (ii) proof of having given instruction in every exercise of the PPL Syllabus as listed in NAM-CATS-FCL 61;
 - (iii) acquired in aeroplanes, helicopters or powered-lift categories or in an approved FSTD, at least 10 hours of instrument flight time during the six months immediately preceding the application;

- (g) for the glider category:
 - (i) in the case of touring gliders, have no less than 300 hours flight time;
 - (ii) in the case of conventional or power assisted gliders, have completed no less than 600 solo flights on gliders or 200 gliding hours in total;
- (h) have successfully completed the training course as set out in NAM-CATS-FCL 61 with an approved ATO;
- (i) have successfully undergone the instructor ground evaluation test referred to in Document NAM-CATS FCL 61; and
- (j) have undergone the skill test referred to in regulation 61.20.3 conducted by a Designated Flight Examiner within 30 days of successfully completing the instructor ground evaluation referred to in paragraph (i).

Application for a Grade II Flight Instructor Rating

61.20.2 (1) An application for a Grade II Flight Instructor Rating must be made to the Executive Director on the appropriate form and in the manner as set out in Document NAM-CATS-FCL 61 and submitted to the Executive Director, within 30 days of having completed the skills test.

(2) The application referred to in subregulation (1) must be accompanied by the appropriate fee as prescribed in Part 187.

(3) If the applicant contemplated in subregulation (1) complies with the requirements referred to in regulation 61.20.1, the Executive Director must issue a Grade II Flight Instructor Rating in the appropriate form set out in Documents NAM-CATS-FCL 61.

Skills test

61.20.2 (1) An applicant for the issue of a Grade II Flight Instructor Rating must have demonstrated to an appropriately rated designated examiner, the ability to perform as a Grade II flight instructor the procedures and manoeuvres as set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of a Grade II Flight Instructor Rating.

- (2) In the case of an aeroplane the initial skills test must be undertaken:
 - (a) in a complex single- or multi-engine aeroplane with retractable undercarriage and variable pitch propeller; or
 - (b) in an aircraft with a turbojet engine, or
 - (c) in an approved aeroplane FSTD.
- (3) In the case of a helicopter, the initial skills test must be conducted in a helicopter, fitted with fully functional dual controls or in an approved helicopter FSTD.
- (4) In the case of a glider, the initial skills test must be conducted in the class and type of glider for which the instructor endorsement is required.
- (5) In the case of free balloons, initial skills test must be conducted in the class and type of free balloon for which the instructor endorsement is required.

(6) In the case of airships, initial skills test must be conducted in the class and type of airship for which the instructor endorsement is required.

(7) Before an applicant submits himself or herself for an initial skills test, he or she must provide the examiner with written proof that:

- (a) he or she has satisfactorily completed the required training at an approved ATO; and
- (b) the Grade I or Grade II Flight Instructor who has provided the supervision considers the performance of the applicant as a flight instructor adequate for his or her upgrade to a Grade II Flight Instructor.

(8) The applicant for a Grade II Flight Instructor Rating must have undergone the skill test referred to in subregulation (1), within the 30 days immediately preceding the date of application.

Period of validity of Grade II Flight Instructor Rating

61.20.4 (1) A Grade II Flight Instructor Rating is valid for a period of 12 months calculated from the date of initial issue and after that for a period of 36 months calculated from:

- (a) the date of revalidation, where the rating is revalidated within 90 days prior to expiry; or
- (b) the date of the test, where the rating has expired and must be renewed or where it is revalidated more than 90 days prior to expiry.

(2) The holder of a Grade II Flight Instructor Rating that has expired for more than 12 months may before a period of 60 months calculated from the date of expiry of the rating, apply to the Executive Director for the reissuing of a Grade II Flight Instructor Rating: Provided that he or she has:

- (a) attended a flight instructor seminar as set out in Document NAM-CATS-FCL 61 conducted by an approved ATO; and
- (b) passed the appropriate skills test.

(3) If a period of 60 months has lapsed after the date of expiry of the rating, the holder of the expired rating may apply to the Executive Director for the re-issuing of the rating: Provided that the applicant complies with the following:

- (a) the re-issue of an expired Grade III flight Instructor Rating;
- (b) must give not less than 50 hours flight instruction as holder of a Grade III flight Instructor Rating issued in terms of Subpart 61.21; and
- (c) must undergo the appropriate skills test.

Privileges

61.20.5 (1) The holder of a valid Grade II Flight Instructor Rating may with due regard to the provisions of the Act and subregulation (2), exercise all the privileges of a Grade III flight Instructor Rating which he or she qualified for and may in addition in respect of those categories of aircraft of which he or she is the holder of the appropriate class or type ratings as flight instructor with at least 50 hours on type or similar types:

- (a) authorise the holder of a Student Pilot Licence for his or her initial solo flight;
- (b) conduct the training for all single-engine class and in-class types within the category of aircraft hold;
- (c) conduct the training and theoretical knowledge examinations for a Glider, Free Balloon, Airship, Private Pilot or Commercial Pilot Licence;
- (d) for the glider category:
 - (i) conduct and supervise basic and medium to advanced upper-air flight training, including launch and landings;
 - (ii) with the approval of the Executive Director and when designated as an examiner in accordance with Subpart 32, conduct the initial skill tests and issue skill test reports required for the issuing of a Glider Pilot Licences;
 - (iii) with the approval of the Executive Director and when designated as an examiner in accordance with Subpart 32, conduct the initial skill and revalidation tests and issue skill test reports for instructor ratings; and
 - (iv) conduct the training for the issue of a Grade II or Grade III flight Instructor Rating.
- (e) for single pilot, single-engine type ratings within the aeroplane, helicopter or powered-lift categories:
 - (i) conduct training for piston-engine aircraft, provided he or she holds the type rating with at least 50 hours on type or similar types;
 - (ii) conduct training for a turbine-engine aircraft, provided he or she is the holder of the turbine instructor rating endorsement with at least 50 hours on type or similar types;
 - (iii) conduct the training for an Instrument Rating: Provided that he or she is the holder of an Instrument Rating and instrument flight training endorsement;
- (f) if he or she is the holder of appropriate instructor rating endorsement, as set out in Document NAM-CATS FCL 61, conduct the training relevant to the appropriate category or aircraft and may endorse the pilot logbook, for the issue of the following ratings, if the requirements in subregulation (2) are complied with:
 - (i) a Tug Pilot Rating;
 - (ii) an Agricultural Pilot Rating;
 - (iii) an Aerobatics Rating;
 - (iv) a Tow Rating;
 - (v) a test pilot qualification;
 - (vi) a sling load rating;
 - (vii) a game or livestock cull rating; and

- (viii) a winching rating;
 - (g) for single pilot and multi pilot multi-engine type ratings in the aeroplane, helicopter or powered-lift categories:
 - (i) conduct training for a single-pilot multi-engine class or type rating: Provided that he or she is the holder of an appropriate class or type rating for multi-engine aircraft with at least 50 hours experience on type or similar types;
 - (ii) conduct training for a multi-engine class or type ratings: Provided that he or she is the holder of the appropriate class or type rating and of a multi-engine flight instructor endorsement with at least 50 hours on type or similar types;
 - (iii) conduct training in multi-pilot aeroplanes: Provided that he or she is the holder of appropriate valid type rating as flight instructor with at least 50 hours on type or similar types;
 - (iv) conduct the training for the issue of a Grade II or Grade III flight Instructor Rating;
 - (h) for the aeroplane, helicopter or powered-lift categories, after being designated as an examiner in terms of Subpart 32, conduct initial skill tests and issue skill test reports required for:
 - (i) the issue of a private pilot licence, provided that he or she meets the requirements as set out in Document NAM-CATS-FCL 61 and has been appointed as Chief Flying Instructor (CFI) of an approved ATO, or has been appointed by the CFI of an approved ATO;
 - (ii) the revalidation of a Private Pilot Licence without Instrument Rating, and enter the appropriate endorsements;
 - (iii) the issue of a night rating;
 - (iv) the issue of a single-engine piston class rating;
 - (v) the endorsement of differences training for single- or multi-engine piston class aircraft below 5 700 kg maximum certificated mass (MCM): Provided that the instructor is the holder of the appropriate instructor endorsement;
 - (vi) the issue of class or type rating for a single-engine turboprop aircraft or a type rating for multi-engine turboprop/turbojet aircraft: Provided that the applicant is already the holder of an appropriate MEP class or a SE or ME turbine or turbojet type rating and that the flight instructor holds the applicable turboprop or turbojet flight instructor endorsement; and
 - (vii) the endorsement of pilot logbooks in respect of familiarisation and differences training.
- (2) The requirements for the endorsements referred to in paragraph (f) of subregulation (1) are as follows:
- (a) in all cases the instructor must have:

- (i) the flight instructor endorsement (FI) for the specific category and class, including make and model within a class and type rating, if a type rating is required, in his or her logbook and licence as required; or
 - (ii) written authorisation in the case of instruction on an approved FSTD;
- (b) in the case of instruction in an aircraft, the instructor must have demonstrated proficiency in flying the aircraft from each pilot seat;
- (c) for each endorsement, all relevant recency requirements must be met before the privileges of that endorsement may be exercised;
- (d) for the night rating instructor endorsement, the instructor must:
 - (i) be the holder of a night rating and show evidence of having completed the training at an approved ATO as described in Appendix 13.1, exercises 19 and 20, of Document NAM-CATS-FCL 61;
 - (ii) have demonstrated to a Designated Flight Examiner in the case of an initial Grade III skills test, or the chief flying instructor (CFI) of an approved aviation training organization (ATO) in the case of an existing Grade III instructor, the ability to:
 - (aa) give a suitable night flying briefing;
 - (ba) give instruction in an aeroplane or approved FSTD on instrument flying to the level required for a night rating; and
 - (ca) give flight instruction at night in an aeroplane which must consist of at least three take-offs and three landings;
 - (iii) have his or her logbook endorsed by the Designated Flight Examiner DFE or chief flying instructor CFI with the words “Authorised to give instruction for night ratings”.
- (e) for the instrument flight instructor endorsement, the instructor must:
 - (i) have given not less than 100 hours of instruction in an aircraft or an approved FSTD;
 - (ii) be the holder of a valid Instrument Rating appropriate to the category in which the instrument training is provided;
 - (iii) show evidence of having completed a course at an approved ATO, as described in Appendix 13.4 of Document NAM-CATS-FCL 61, or an equivalent course acceptable to the Executive Director;
 - (iv) have demonstrated to a Designated Flight Examiner I or II the ability to give suitable briefings and instruction in instrument flying to the level required for an Instrument Rating; and
 - (v) have his or her logbook endorsed by the Designated Flight Examiner with the words “Authorised to give instruction for Instrument Ratings”.
- (f) for the multi-engine class rating instructor endorsement, the instructor must:

- (i) have given at least 100 hours of instruction in an aircraft or an approved FSTD;
 - (ii) have accumulated at least 20 hours of flight time as pilot-in-command of a multi-engine aircraft;
 - (iii) show evidence of having completed a course at an approved ATO as described in Appendix 13.2 of NAM CATS FCL 61, or an equivalent course acceptable to the Executive Director;
 - (iv) have accumulated at least five hours as pilot-in command in the specific make and model of the multi-engine aircraft used for training;
 - (v) undergo a skills test for the endorsement with a Designated Flight Examiner I or II (A); and
 - (vi) have his or her logbook endorsed by the Designated Flight Examiner with the words “Authorised to give instruction for multi-engine class ratings”.
- (g) for the Single-Engine Turbo-Propeller Class Rating Instructor endorsement, the instructor must:
 - (i) have accumulated at least 100 hours of instruction in an aeroplane or an approved FSTD;
 - (ii) have accumulated at least 50 hours of flight time as pilot-in-command of a single-engine turbo-propeller aeroplane;
 - (iii) show evidence of having completed a course at an approved as described in Appendix 13.3 of NAM-CATS FCL 61, or an equivalent course acceptable to the Executive Director;
 - (iv) have passed the Turbo-propeller or Turbojet endorsement examination, have completed the high-performance aircraft theory requirements or be the holder of an ATPL(A);
 - (v) undergo a skills test for the endorsement with a Designated Flight Examiner I or II (A); and
 - (vi) have his or her logbook endorsed by the Designated Flight Examiner with the words “Authorised to give instruction for single-engine turbo-propeller class ratings”;
- (h) for the type rating instructor endorsement, the operator offering the type rating training must apply in writing to the Executive Director motivating the reason for requiring the Grade III instructor and how he or she will be supervised;
- (i) the instructor must:
 - (i) have accumulated at least 100 hours of instruction in an aircraft or approved FSTD;
 - (ii) be rated as pilot-in-command on the type if required to instruct on an aircraft;

- (iii) show evidence of having completed a course of instruction, acceptable to the Executive Director, at an approved ATO, on the specific type;
- (iv) have passed the Turbo-propeller or Turbojet endorsement examination;
- (v) have completed the high-performance aircraft theory requirements or be the holder of an ATPL(A);
- (vi) undergo a skills test for the endorsement with a Designated Flight Examiner I or II (A) in the case of instructing on an aircraft, or have a written authorisation in the case of instructing on an approved FSTD; and
- (vii) have his or her logbook endorsed by the Designated Flight Examiner with the words “Authorised to give instruction for the (type by name) type rating.

Revalidation

61.20.6 (1) To revalidate a Grade II Flight Instructor Rating the holder of the rating must comply with the following requirements:

- (a) within the 90 days immediately preceding the date of expiry of such rating, he or she must have undergone the appropriate skills test with a designated examiner; and
- (b) within the 12 months immediately preceding the date of expiry of such rating, he or she must either:
 - (i) have given not less than 20 hours of flight instruction in the appropriate category of aircraft; or
 - (ii) provide proof of having attended a flight instructor refresher seminar as set out in Document NAM-CATS-FCL 61, conducted by an approved ATO.

(2) The holder referred to in subregulation (1) must submit the revalidation check form within 30 days of having completed the check, together with the applicable fee as prescribed in Part 187.

(3) If the result of the skills test contemplated in subregulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the relevant privileges, the Designated Flight Examiner must:

- (a) inform the applicant that he or she does not meet the requirements for the revalidation of the rating and that he or she must, with immediate effect, not exercise the privileges of the rating until such time he or she meets the requirements for the revalidation or re-issue of the rating; and
- (b) report such result to the Executive Director in writing as soon as practicable.

SUBPART 21 GRADE III FLIGHT INSTRUCTOR RATING

Requirements for Grade III flight Instructor Rating

61.21.1 (1) An applicant for the issue of a Grade III flight Instructor Rating must:

- (a) hold a valid glider pilot, free balloon pilot, airship pilot, commercial pilot licence or airline transport pilot licence;

- (b) have successfully completed 20 hours of flight instructor padder training as set out in Document NAM-CATS-FCL 61, conducted by a Grade I or a Grade II Flight Instructor;
- (c) for the aeroplane, helicopter or powered-lift categories, 15 hours must be in an aircraft and five hours may be in an approved FSTD;
- (d) for the glider, free balloon and airship categories, have no less than 200 hours flight time as pilot in command with experience gained in not less than 6 months; and 30 hours of class teaching;
- (e) have successfully completed the training course and ground evaluation as set out in Document NAM-CATS-FCL 61 with an approved ATO;
- (f) have passed the theoretical knowledge examination referred to in regulation 61.21.3;
- (g) have successfully undergone the instructor ground evaluation test referred to in Document NAM-CATS-FCL 61; and
- (h) have undergone the skill test referred to in regulation 61.21.4 conducted by a Designated Flight Examiner within 36 months of completing the instructor theoretical knowledge examinations and within 30 days of successfully completing the instructor ground evaluation referred to in paragraph (e).

(2) Namibia Air Force pilot instructors and Namibian Air Force navigator instructors may apply for credit for some or all the requirements prescribed in subregulation (1) as indicated in regulation 61.01.11.

(3) The holder of a flight instructor rating in another category of aircraft may be exempted from attending the theoretical training referred to in paragraph (d) of subregulation (1).

(4) The number of hours referred to in paragraph (b) of subregulation (1) may be reduced to 10 hours of flight training in the applicable category of aircraft if the applicant is the holder of a flight instructor rating in another category of aircraft.

Application for a Grade III flight Instructor Rating

61.21.2 (1) An application for a Grade III Flight Instructor Rating must be made to the Director on the appropriate form and in the manner as set out in Document NAM-CATS-FCL 61 and submitted to the Director within 30 days of having completed the skills test.

(2) The application referred to in subregulation (1) must be accompanied by the appropriate fee as prescribed in Part 187.

(3) If the applicant for a Grade III Flight Instructor Rating in subregulation (1) complies with the requirements referred to in regulation 61.21.1 the Executive Director must issue a Grade III flight Instructor Rating in the appropriate format as set out in Documents NAM-CATS-FCL 61.

Theoretical knowledge examination

61.21.3 (1) An applicant for the issue of a Grade III flight Instructor Rating must have passed the appropriate written examination, conducted by either the Authority or an approved ATO, as set out in Document NAM-CATS-FCL 61.

(2) An applicant, for the issue of a Grade III flight Instructor Rating, who is the holder of a flight instructor rating in another category of aircraft, is exempted from that portion of the theoretical knowledge examinations dealing with matters of a common nature already passed.

Skills test

61.21.4 (1) An applicant for the issue of a Grade III Flight Instructor Rating must have demonstrated to an appropriately rated designated examiner, the ability to perform as a Grade III flight instructor the procedures and manoeuvres as set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of a Grade III flight Instructor Rating.

(2) The applicant for a Grade III Flight Instructor Rating must have undergone the skill test referred to in subregulation (1), within the 30 days immediately preceding the date of application.

(3) In case of an aeroplane, the skills test referred to in subregulation (1) must be conducted in an aeroplane with a maximum certificated mass in excess of 450 kg, fitted with fully functional dual controls, or in an approved FSTD.

(4) In case of a helicopter the skills test referred to in subregulation (1) must be conducted in a helicopter fitted with fully functional dual controls, or in an approved FSTD.

(5) In case of a glider free balloon or airship, the skills test referred to in subregulation (1) must be conducted in the type of glider, free balloon or airship for which the instructor endorsement is required.

(6) Before an applicant submits himself or herself for the initial skills test, he or she must provide the examiner with written proof that:

- (a) he or she has satisfactorily completed the required training conducted by an approved ATO; and
- (b) the Grade I or Grade II Flight Instructor who has provided the supervision and training considers the performance of the applicant adequate for the skills test for a Grade III Flight Instructor.

(7) The applicant referred to in subregulation (1) must submit the skills test forms to the Executive Director within 30 days of having completed the skills test.

Period of validity of Grade III Flight Instructor Rating

61.21.5 (1) A Grade III Flight Instructor Rating is valid for a period of 12 months calculated from the date of initial issue or of the rating and after that for a period of 36 months calculated from:

- (a) the date of revalidation, if the rating is revalidated within 90 days prior to expiry; or
- (b) the date of the test, if the rating has expired or if revalidated more than 90 days prior to expiry.

(2) The holder of a Grade III Flight Instructor Rating that has expired may, before a further period of 12 months calculated from the date of expiry of the rating has lapsed, apply to the Executive Director for the re-issuing of a Grade III Flight Instructor Rating: Provided that he or she has:

- (a) attended a flight instructor refresher seminar as set out in Document NAM-CATS-FCL 61, conducted by an approved ATO; and
 - (b) undergone the appropriate skills test referred to in regulation 61.21.4.
- (3) If a period of more than 12 months has lapsed after the date of expiry of the rating, the holder of the expired rating may apply to the Executive Director for the re-issuing of the rating: Provided that he or she:
- (a) has complied with the requirements for an initial issue for Grade III flight Instructor Rating, or
 - (b) can provide satisfactory evidence that he or she has held a valid instructor rating during the lapsed period, in an appropriate authority or on another category of aircraft, he or she may apply to the Executive Director for exemption from paragraphs (b), (c) and (d) of regulation 61.21.1(1).
- (4) An application for the reissuing of the expired rating must be made in the manner prescribed in regulation 61.21.2.

Privileges and limitations

61.21.6 (1) A person may only hold a type rating as instructor in respect of the category of aircraft for which he or she holds the corresponding type rating as pilot, issued in terms of this Part, and for which he has at least 50 hours experience on type.

(2) In case of an aeroplane the rating referred to in subregulation (1) is restricted to single-engine, piston-class aeroplane up to 1 600 kg maximum certificated mass.

(3) The holder of a valid Grade III Flight Instructor Rating may, under the supervision of a Grade I or Grade II Flight Instructor with the appropriate class ratings or type ratings and endorsements, and with due regard for the provisions of subregulation (4) and (5), give flight instruction in those aircraft for which he or she has been certified proficient by an endorsement in his or her pilot logbook.

- (4) A Grade III flight instructor may only give flight instruction towards:
 - (a) the issue or revalidation of a Glider Pilot, Free Balloon Pilot, Airship Pilot or Private Pilot Licence;
 - (b) those parts of an integrated training course at Private Pilot Licence level, excluding authorisation of first solo flights;
 - (c) for the aeroplane, helicopter, or powered-lift categories, instrument flight training required for the issue of a night rating, in an approved FSTD and in the appropriate aircraft: Provided the flight instructor has a valid Instrument Rating and an appropriate FSTD instructor authorisation;
 - (d) in the case of a helicopter:
 - (i) single-engine type ratings in respect of helicopters with a maximum certificated mass of 3 175 kg or less;
 - (ii) differences and familiarisation training;

- (iii) recurrent training; and
- (iv) route training.

(5) For the purposes of subregulation (3) and (4), the Chief Flying Instructor or a Grade I or Grade II Flight Instructor who has been approved for the purpose by the Chief Flying Instructor, must provide supervision and guidance with regard to the following:

- (a) periodic surveillance;
- (b) assessment of the standard of instruction provided;
- (c) standardisation of the methods of instruction used; and
- (d) guidance on the conduct of all ATO operations.

(6) In addition to the subregulation of (3) and (4), the holder of a valid Grade III Helicopter Flight Instructor Rating must have demonstrated, to a Designated Flight Examiner with the appropriate type rating and specific field endorsement, or to a person authorised for the purpose in writing by the Executive Director, the ability to provide flight instruction in any of the following fields with a degree of competency appropriate to the privileges granted by the rating and endorsement, in order for him or her to exercise the privileges of:

- (a) instrument flight training: Provided that the holder has a valid Instrument Rating on either aeroplanes or helicopters;
- (b) turbine-engine helicopter flight training;
- (c) multi-engine helicopter flight training; and
- (d) FSTD training.

(7) Despite the provisions of subregulation (3), the holder of a Grade III Flight Instructor Rating, who has been the holder of a Grade I or Grade II Flight Instructor Rating in the past, may apply to the Executive Director to retain all or some of the privileges of a Grade II Flight Instructor.

(8) Despite the provisions of subregulation (3), the holder of a Grade III Flight Instructor Rating, who has a minimum of 500 hours flight instructor experience in the applicable category of aircraft, may apply to the Executive Director to exercise some of the privileges of a Grade II Flight Instructor.

(9) The requirements for the endorsements referred to in subregulation (6) are as follows:

- (a) in all cases the instructor must have:
 - (i) the flight instructor endorsement (FI) for the specific aircraft class, including make and model within a class, and aircraft type (where a type rating is required) in his or her logbook and licence (as required); or
 - (ii) written authorisation in the case of instruction on an approved FSTD;
- (b) in the case of instruction in an aeroplane helicopter or powered-lift, the instructor must have demonstrated proficiency in flying from each pilot seat.

- (c) for each endorsement, all relevant recency requirements must be met before the privileges of that endorsement may be exercised; and
- (d) for the night rating instructor endorsement, the instructor must:
 - (i) be the holder of a night rating and show evidence of having completed the training at an approved ATO, as described in Appendix 13.1, exercises 19 and 20, of NAM CATS FCL 61;
 - (ii) demonstrate to a Designated Flight Examiner Grade I or II in the case of an initial Grade III skills test, or the Chief Flying Instructor of an approved ATO, in the case of an existing Grade III instructor, the ability to:
 - (aa) give a suitable night flying briefing;
 - (ba) give instruction in an aircraft or approved FSTD on instrument flying to the level required for a night rating; and
 - (ca) give flight instruction at night in an aircraft which must consist of at least three take-offs and three landings;
 - (iii) have his or her logbook endorsed by the Designated Flight Examiner or Chief Flying Instructor with the words “Authorised to give instruction for night ratings”.
- (e) for the instrument flight instructor endorsement, the instructor must:
 - (i) have given not less than 100 hours of instruction in an aircraft or an approved FSTD;
 - (ii) be the holder of a valid Instrument Rating appropriate to the aircraft category in which the instrument training is provided;
 - (iii) show evidence of having completed a course at an approved ATO as described in Appendix 13.4 of Document NAM CATS FCL 61, or an equivalent course acceptable to the Executive Director;
 - (iv) have demonstrated to a Designated Flight Examiner Grade I or II the ability to give suitable briefings and instruction in instrument flying to the level required for an Instrument Rating; and
 - (v) have his or her logbook endorsed by the Designated Flight Examiner Grade with the words “Authorised to give instruction for Instrument Ratings”;
- (f) for the multi-engine class rating instructor endorsement, the instructor must:
 - (i) have given at least 100 hours of instruction in an aircraft or an approved FSTD;
 - (ii) have accumulated at least 20 hours of flight time as pilot-in-command of a multi-engine aircraft;
 - (iii) show evidence of having completed a course at an approved ATO, as described in Appendix 13.2 of NAM-CATS FCL 61 or an equivalent course acceptable to the Executive Director;

- (iv) have accumulated at least five hours as pilot-in command in the specific make and model of the multi-engine aircraft used for training;
 - (v) undergo a skills test for the endorsement with a Designated Flight Examiner Grade I or II; and
 - (vi) have his or her logbook endorsed by the Designated Flight Examiner with the words: “Authorised to give instruction for multi-engine class ratings”;
- (g) for the Single-Engine Turbo-Propeller Class Rating Instructor endorsement, the instructor must:
 - (i) have accumulated at least 100 hours of instruction in an aircraft or an approved FSTD;
 - (ii) have accumulated at least 50 hours of flight time as pilot-in-command of a single-engine turbo-propeller aircraft;
 - (iii) show evidence of having completed a course at an approved ATO, as described in Appendix 13.3 of Document NAM-CATS FCL 61, or an equivalent course acceptable to the Executive Director;
 - (iv) have passed the Turbo-propeller or Turbojet endorsement examination, have completed the high-performance aircraft theory requirements or be the holder of an ATPL;
 - (v) undergo a skills test for the endorsement with a Designated Flight Examiner Grade I or II; and
 - (vi) have his or her logbook endorsed by the Designated Flight Examiner with the words: “Authorised to give instruction for single-engine turbo-propeller class ratings”;
- (h) for the type rating instructor endorsement, the operator offering the type rating training must apply in writing to the Executive Director motivating the reason for requiring the Grade III instructor and how he or she will be supervised;
- (i) the instructor must:
 - (i) have accumulated at least 100 hours of instruction in an aircraft or an approved FSTD;
 - (ii) be rated as pilot-in-command on the type if required to instruct on an aircraft;
 - (iii) show evidence of having completed a course of instruction, acceptable to the Executive Director, at an approved ATO, on the specific type;
 - (iv) have passed the Turbo-propeller or Turbojet endorsement examination;
 - (v) have completed the high-performance aircraft theory requirements or be the holder of an ATPL;
 - (vi) undergo a skills test for the endorsement with a Designated Flight Examiner Grade I or II in the case of instructing on an aircraft, or have a written authorisation in the case of instructing on an approved FSTD; and

- (vii) have his or her logbook endorsed by the Designated Flight Examiner with the words, “Authorised to give instruction for the type rating”.

Revalidation

61.21.7 (1) To revalidate a Grade III Flight Instructor Rating, the holder of the rating must comply with the following requirements:

- (a) within the 90 days immediately preceding the date of expiry of such rating, have undergone the appropriate skill test conducted by a designated examiner; and
- (b) within the 12 months immediately preceding the date of expiry of such rating, he or she must either:
 - (i) have given not less than 20 hours of flight instruction in the appropriate category of aircraft; or
 - (ii) provide proof of having attended a flight instructor refresher seminar as set out in Document NAM-CATS-FCL 61, conducted by an approved ATO.

(2) The Designated Flight Examiner must endorse the successful revalidation check as a Flight Instructor Grade III in the candidate’s pilot logbook, complete the appropriate revalidation skills test form as set out Document NAM-CATS-FCL 61, and submit the form to the Executive Director within 30 days of having completed the skills test, together with the applicable fee as prescribed in Part 187.

(3) If the result of the skills test contemplated in subregulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the relevant privileges, the Designated Flight Examiner must:

- (a) inform the applicant that he or she does not meet the requirements for the revalidation of the rating and that, with immediate effect, he or she may not exercise the privileges of the rating until such time he or she meets all the requirements for the revalidation or re-issue of the rating; and
- (b) report such result to the Executive Director in writing as soon as practicable.

SUBPART 22 TYPE RATING INSTRUCTOR RATING (MULTI-PILOT AIRCRAFT)

Requirements for a Type Rating Instructor Rating

61.22.1 An applicant for the issue of a Type Rating Instructor Rating must:

- (a) hold a valid Airline Transport Pilot Licence (Aeroplane);
- (b) have successfully completed an approved type rating instructor training course;
- (c) have successfully completed 20 hours of type rating instructor pattern training as set out in Document NAM-CATS-FCL 61, conducted by a Grade I or a Grade II Flight Instructor in an approved FSTD;
- (d) have successfully undergone the instructor ground evaluation test referred to in Document NAM-CATS-FCL 61;

- (e) have undergone 5 sectors of type rating instruction under supervision of a type rated Grade I or II flight Instructor in an approved FSTD; and
- (f) have undergone the skill test referred to in regulation 61.22.3 conducted by a Designated Flight Examiner (FE) within 30 days of successfully completing the instructor ground evaluation referred to in paragraph (d).

Application for a Type Rating Instructor Rating

61.22.2 (1) An application for a Type Rating Instructor Rating must be made to the Executive Director on the appropriate form and in the manner set out in Document NAM-CATS-FCL 61 and submitted to the Executive Director within 30 days of having completed the skills test.

(2) The application referred to in subregulation (1) must be accompanied by the appropriate fee as prescribed in Part 187.

(3) If the applicant referred to in subregulation (1) complies with the requirements referred to in subregulation (1) the Executive Director must issue a Type Rating Instructor Rating in the appropriate form set out in Documents NAM-CATS-FCL 61.

Skills test

61.22.3 (1) An applicant for the issue of a Type Rating Instructor Rating must have demonstrated to an appropriately rated designated examiner, the ability to perform as a Type Rating instructor the procedures and manoeuvres as set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of a Type Rating Instructor Rating.

(2) The applicant for Type Rating Instructor Rating must have undergone the skill test referred to in subregulation (1) within the 30 days immediately preceding the date of application.

(3) Before an applicant referred to in subregulation (1) submits himself or herself for the initial skills test, he or she must provide the examiner with written proof that:

- (a) he or she has satisfactorily completed the required training conducted by an approved ATO; and
- (b) the Grade I or Grade II Aeroplane Flight Instructor who has provided the supervision and training considers the performance of the applicant adequate for the skills test for a Type Rating Instructor.

(4) The applicant referred to in subregulation (1) must submit the skills test forms to the Executive Director, within 30 days of having completed the skills test.

Period of validity of Type Rating Instructor Rating

61.22.4 (1) A Type Rating Instructor Rating is valid for a period of 12 months calculated from the date of the initial issue of the rating and after that for a period of 36 months calculated from:

- (a) the date of revalidation, if the rating is revalidated within 90 days immediately prior to expiry; or
- (b) the date of the test, if the rating has expired or if revalidated more than 90 days prior to expiry.

(2) The holder of a Type Rating Instructor Rating that has expired, may, before a further period of 12 months calculated from the date of expiry of the rating has lapsed, apply to the Executive Director for the reissuing of a Type Rating Instructor Rating: Provided that the holder has:

- (a) attended a flight instructor refresher seminar as set out in Document NAM-CATS-FCL 61, conducted by an approved ATO; and
- (b) undergone the appropriate skills test referred to in regulation 61.22.3.

(3) If a period of more than 12 months has lapsed after the date of expiry of the rating, the holder of the expired rating may apply to the Executive Director for the reissuing of the rating: Provided that he or she:

- (a) has complied with the requirements for an initial issue for the Type Rating Instructor Rating; or
- (b) can prove that he or she has held a valid instructor rating during the lapsed period, in another Contracting State or on another category of aircraft, he or she may in accordance with Part 3 apply to the Executive Director for exemption from paragraphs (b), (c) and (d) of subregulation (1) of regulation 61.22.1.

(4) An application for the reissuing of the expired rating must be made in the manner prescribed in regulation 61.22.2.

Privileges and limitations

61.22.5 (1) A person may only hold a Type Rating Instructor Rating in respect of the category of aircraft for which he or she holds the corresponding type rating as pilot-in-command, issued in terms of this Part.

(2) A person holding a Type Rating Instructor Rating is entitled to provide type rating training under the auspices of an approved Part 121 operator in an aircraft or an approved FSTD.

Revalidation

61.22.6 (1) To revalidate a Type Rating Instructor Rating, the holder of the rating must comply with the following requirements:

- (a) within the 90 days immediately preceding the date of expiry of such rating, have undergone the appropriate skills test conducted by a designated examiner; and
- (b) within the 12 months immediately preceding the date of expiry of such rating, he or she must either:
 - (i) have given not less than 20 hours of type rating instruction in the appropriate category of aircraft; or
 - (ii) provide satisfactory evidence proof of having attended a flight instructor refresher seminar as set out in Document NAM-CATS-FCL 61, conducted by an approved ATO.

(2) The Designated Flight Examiner must endorse the successful revalidation check as a Type Rating Instructor in the candidate's pilot logbook, complete the appropriate revalidation skills test form set out in Document NAM-CATS-FCL 61, and submit the form to the Executive Director within 30 days of having completed the skills test, together with the applicable fee as prescribed in Part 187.

(3) If the result of the skills test referred to in subregulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the relevant privileges, the Designated Flight Examiner must:

- (a) inform the applicant that he or she does not meet the requirements for the revalidation of the rating and that with immediate effect, he or she may not exercise the privileges of the rating until such time he or she meets all the requirements for the revalidation or re-issue of the rating; and
- (b) report the result to the Executive Director in writing as soon as practicable.

SUBPART 23 FLIGHT SIMULATION TRAINING DEVICE INSTRUCTOR AUTHORISATION

Requirements for FSTD instructor authorisation

61.23.1 (1) An applicant for the issue of a FSTD instructor authorisation for an aeroplane, helicopter or powered-lift category must:

- (a) hold or have held:
 - (i) a valid commercial pilot licence or Airline Transport Pilot Licence or an equivalent licence issued by an appropriate authority; and
 - (ii) a valid flight instructor rating, Type Rating Instructor Rating or an equivalent instructor rating issued by an appropriate authority in the past six months;
- (b) have undergone the skills test referred to in regulation 61.23.4; and
- (c) meet the requirements of the Act.

(2) The holder of a FSTD instructor authorisation seeking to qualify as a type-rating instructor must complete the following additional elements:

- (a) the operator's complete type-rating course as a learner, including technical knowledge and FSTD training;
- (b) the operator's type rating skills test conducted in the FSTD;
- (c) presentation of a complete type-rating course as a trainee instructor, conducted under the supervision of an appropriately authorised holder of a FSTD instructor authorisation or an appropriately rated flight instructor; and
- (d) a skills test as a FSTD type-rating instructor, conducted by a suitably type-rated and experienced Designated Flight Examiner II or Designated Flight Examiner I.

(3) The holder of a FSTD instructor authorisation seeking to conduct instrument flight (IF) training towards an Instrument Rating must hold or have held, in the previous 60 months, a valid Instrument Rating.

(4) The holder of a FSTD instructor authorisation seeking to qualify as a multi-crew cooperation (MCC) instructor must complete the training as outlined in Document NAM-CATS-FCL 61.

(5) The holder of a FSTD instructor authorisation seeking to qualify for any other FSTD Instructor Authorisation must undergo:

- (a) training appropriate to the training to be conducted; and
- (b) skills tests appropriate to the course as a FSTD instructor for which authorisation is sought, by a suitably rated and experienced Designated Flight Examiner DFE II or DFE I.

(6) An applicant for a FSTD instructor authorisation in a multi-pilot FSTD must:

- (a) have completed at least 500 hours of flight time as pilot of multi-pilot aeroplanes, helicopters or powered lift aircraft; and
- (b) within the 12 months immediately preceding the date of application, have completed at least four route sectors on the same type, as pilot or co-pilot or as supernumerary crew of aeroplanes, helicopters or powered-lift aircraft; or
- (c) in the case of a person no longer holding a valid pilot licence, have completed at least 1 500 hours of flight time as pilot of multi-pilot aeroplanes, helicopters or powered lift aircraft; and
- (d) if the authorisation is sought for training in a FSTD other than a multi-pilot FSTD, have 500 hours of flight time as pilot of aeroplanes, helicopters or powered lift aircraft.

(7) For the purpose of this Subpart, the phrase “multi-pilot aeroplane” or “multi-pilot helicopter” or “multi-pilot powered lift” is deemed to be:

- (a) an aeroplane or a helicopter or a powered-lift required in terms of its approved flight manual to be operated by more than one pilot; or
- (b) an aeroplane or helicopter or powered-lift required to be operated in terms of the Regulations with more than one pilot, and for which the operations manual provide for a division of the tasks between the Pilot Flying (PF) and the Pilot Not Flying (PNF).

(8) An applicant for a FSTD instructor authorisation must have successfully completed, as a learner, the FSTD content of the training course for which the authorisation is sought.

(9) If the FSTD instructor authorisation is sought for training in a multi-pilot FSTD, the applicant must have successfully completed an approved crew resource management (CRM) course.

(10) In the case of a course leading to the authorisation for conducting training for any of the courses, the applicant must have presented all the applicable course under the direct supervision of a Grade I or Grade II instructor who is the holder of the appropriate type rating as flight instructor, or of a person authorised in writing for the purpose by the Executive Director.

(11) The applicant for a FSTD instructor authorisation must record in the appropriate logbook all training for the purposes of FSTD instructor authorisation.

Application for a FSDT instructor authorisation

61.23.2 (1) An application for a FSDT authorisation must be made to the Executive Director in the appropriate form set out in Document NAM-CATS-FCL 61.

- (2) The application referred to in subregulation (1) must be accompanied by:
 - (a) proof that the applicant has been the holder of a Commercial Pilot Licence or Airline Transport Pilot Licence in the appropriate category if not currently holding such pilot licence;
 - (b) proof of holding or having held an Instrument Rating if the applicant is to conduct training towards an Instrument Rating;
 - (c) a certified summary of the applicant's logbook or logbooks reflecting his or her pilot flying hours and the FSTD hours; and
 - (d) the appropriate fee as prescribed in Part 187.

(3) The Executive Director must issue a FSTD instructor authorisation in the appropriate form set out in Document NAM-CATS-FCL 61, if the applicant complies with the prescribed requirements.

Theoretical knowledge examination

61.23.3 (1) An applicant for the issue of a FSTD instructor authorisation must have passed the appropriate written examination as set out in Document NAM-CATS-FCL 61.

(2) The holder of a valid instructor rating may be exempted in terms of the regulations and technical standards from the parts of the examination already passed for the issue of his or her instructor rating.

(3) In the case of an instructor rating that has lapsed for a period of more than five years, the applicant for a FSDT instructor authorisation will be required to undergo the examinations referred to in subregulation (1).

Skills test

61.23.4 (1) An applicant for the issuing of a FSTD instructor authorisation must demonstrate the ability to perform the procedures and manoeuvres as set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of a FSTD instructor authorisation.

- (2) The skills test referred to in subregulation (1) must be conducted:
 - (a) by a Designated Flight Examiner, who must be the holder of the appropriate type rating, if the authorisation is sought for a type rating; or
 - (b) in other cases, by a Grade I or a Grade II flight instructor with the appropriate ratings and endorsements, or by a person authorised in writing for the purpose by the Executive Director.

(3) The applicant referred to in subregulation (1) must have undergone the skills test referred to in that subregulation, within six months of passing the theoretical knowledge examination referred to in regulation 61.22.3, and within the 30 days immediately preceding the date of application.

(4) The skills test referred to in subregulation (1) must have been conducted in an appropriate FSTD.

(5) If the applicant for the issuing of a FSTD instructor authorisation complies with the prescribed requirements, the Designated Flight Examiner must:

- (a) sign the appropriate page of the authorisation of such holder;
- (b) endorse the logbook of such holder; and
- (c) complete the appropriate form set out in Document NAM-CATS-FCL 61 and submits the form to the Executive Director.

Period of validity of FSTD instructor authorisation

61.23.5 A FSTD instructor authorisation is valid for a period of three years calculated from the date of issue or re-issue of the authorisation or from the date of expiry of the authorisation if such authorisation is revalidated.

Privileges

61.23.6 (1) A person at an approved ATO may not conduct training in a FSTD towards obtaining a licence or a rating, or for the purposes of prescribed recurrent or refresher training, unless he or she is the holder of a valid:

- (a) FSTD instructor authorisation appropriate to the aircraft category and level of qualification of the FSTD in which the training is conducted; or
- (b) flight instructor rating and endorsements appropriate to the training to be given in the FSTD and unless he or she has been trained, to the satisfaction of the approved ATO, to provide instruction in the FSTD to be utilised, and has been trained in the techniques required to give instruction in a FSTD.

(2) A FSTD instructor authorisation may be issued for any of the following courses in aeroplanes, helicopters or powered-lift aircraft:

- (a) training towards type ratings and class ratings for which there is an approved FSTD;
- (b) instrument flight training;
- (c) recurrent training;
- (d) refresher training;
- (e) multi-crew cooperation (MCC) training; and
- (f) other training.

(3) The holder of a FSTD instructor authorisation has a responsibility of properly maintaining a logbook detailing all training undergone and conducted, and also showing all flights as an observer.

(4) The holder of a FSTD instructor authorisation, whilst conducting training in a FSTD, must produce the authorisation when requested by an authorised officer, inspector or authorised person.

Revalidation

61.23.7 (1) To revalidate a FSTD instructor authorisation, the holder of FSTD Instructor Authorisation Certificate must, within the 12 months immediately preceding the date of expiry of such authorisation:

- (a) have conducted a type rating, refresher, recurrent, Instrument Rating or multi-crew co-operation (MCC) training course;
- (b) have completed an exercise of at least one hour duration in the role of Pilot Flying (PF) in the FSTD comprising at least two approaches and, where applicable, two take-offs and landings;
- (c) in the case of a type rating training authorisation, have completed at least four route sectors as a flight crew member or observer on the flight deck of the applicable type of aircraft; and
- (d) have within the 90 days immediately preceding the date of application, undergone the skills test referred to in regulation 61.23.4.

(2) The flight instructor or designated examiner, as the case may be, must, upon compliance with the requirements referred to in subregulation (1) by the holder of the authorisation:

- (a) issue the skills test report; and
- (b) sign the appropriate page of the authorisation.

(3) If the result of the proficiency check contemplated in subregulation (1) reveals that the holder of the authorisation has failed to maintain the minimum standard required to exercise the relevant privileges the flight instructor or designated examiner:

- (a) must submit the skill test report to the Executive Director; and
- (b) may not sign the appropriate page of the authorisation.

(4) In the case of failure of a revalidation test, the Executive Director must in terms of the Act, suspend the FSTD instructor authorisation with immediate effect and until such time that the holder passes the revalidation test.

(5) The holder of a FSTD instructor authorisation must make the application for the revalidation of the FSTD instructor authorisation in terms of regulation 61.23.2.

Re-issue

61.23.8 (1) The holder of a FSTD instructor authorisation that has expired may apply to the Executive Director for the re-issue of the expired authorisation.

(2) The Executive Director must re-issue the expired FSTD instructor authorisation if the applicant complies with the requirements for a FSTD instructor authorisation.

SUBPART 24 NIGHT RATING**Requirements for Night Rating**

61.24.1 (1) An applicant for the issuing of a night rating must:

- (a) hold a valid pilot licence;
- (b) submit proof of having have completed the training referred to in subregulation (2);
- (c) submit proof of having passed the theoretical knowledge examination referred to in regulation 61.24.3; and
- (d) have undergone the skills test referred to in regulation 61.24.4.

(2) An applicant for a night rating must have completed under the auspices of an approved ATO:

- (a) five hours of theoretical knowledge instruction and have successfully completed the appropriate training as set out in Document NAM-CATS-FCL 61;
- (b) not less than 10 hours of instrument instruction, of which not more than five hours may be accumulated in an approved FSTD;
- (c) in the case of a night rating on aeroplanes, not less than five take-offs and five landings by night as pilot manipulating the controls of the aircraft whilst under dual instruction; or
- (d) in the case of a night rating on helicopters, not less than five circuits with five take-offs and five landings by night as pilot manipulating the controls of the aircraft whilst under dual instruction;
- (e) in the case of a night rating on a glider, not less than five launches and landings by night as pilot manipulating the controls of the aircraft whilst under dual instruction;
- (f) in the case of a night rating on a free balloon, not less than five launches and ascents by night as pilot manipulating the controls of the aircraft whilst under dual instruction;
- (g) in the case of a night rating for an airship, not less than five ascents and descents by night as pilot manipulating the controls of the aircraft under dual instruction; and
- (h) a dual cross-country flight by night consisting of at least:
 - (i) in the case of a night rating for aeroplanes a total distance of not less than 150 NM in the course of which at least one full stop landing at a different aerodrome away from base is made; or
 - (ii) in the case of a night rating for helicopters, a total distance of not less than 75 NM in the course of which landings at two different aerodromes away from base are made;
 - (iii) in the case of a night rating for gliders, a total distance of not less than 35 NM in the course of which two landings are made;

- (iv) in the case of a night rating for free balloons, a total distance of not less than 35 NM in the course of which landings at two different aerodromes away from base are made;
 - (v) in the case of a night rating for airships, a total distance of not less than 15 NM in the course of which two landings are made.
- (3) A maximum of five hours instrument time can be credited towards the 10-hour requirement for:
- (a) a helicopter pilot if the applicant for a night rating is the holder of an instrument or night rating on an aeroplane; and
 - (b) aeroplane pilot if the applicant for a night rating is the holder of a night rating on a helicopter.

Application for a Night Rating

61.24.2 (1) An application for a night rating must be made to the Executive Director in the appropriate form set out in Document NAM-CATS-FCL 61.

- (2) The application must be accompanied by:
- (a) the skills test report as prescribed in Document NAM-CATS-FCL 61;
 - (b) satisfactory evidence that the applicant meets the requirements of regulation 61.24.1; and
 - (c) the appropriate fee as prescribed in Part 187.

(3) If the applicant referred to in subregulation (1) complies with the appropriate requirements, the Executive Director must issue a night rating in the appropriate form set out in Document NAM-CATS-FCL 61.

(4) A night rating is valid as long as the pilot licence of the holder of the rating is valid and the appropriate requirements for the rating are maintained.

Theoretical knowledge examination

61.24.3 An applicant for the issue of a night rating must have passed the written examination on the theoretical knowledge requirements administered by the Authority.

Skills test

61.24.4 (1) An applicant for the issue of a night rating must have demonstrated to a designated examiner, the ability to perform the procedures and manoeuvres as set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of a night rating.

(2) The skills test referred to in subregulation (1) must be conducted in an aircraft of the applicable category, and must include a minimum of three take-offs, three circuits and three landings by night and if applicable, the instrument component of the skills test may be conducted by day.

(3) The applicant referred to in subregulation (1) must have undergone the skills test within the 30 days immediately preceding the date of application.

(4) The skills test referred to in subregulation (1) may be conducted in an approved FSTD.

Period of validity of Night Rating

61.24.5 A night rating is valid for the period for which the pilot licence held by the holder of the rating is valid.

Privileges

61.24.6 (1) Subject to the provisions of the Act the holder of a valid night rating is entitled to exercise all the privileges of his or her pilot licence by night in the type of aircraft for which the holder is rated.

(2) Despite subregulation (1), the holder of a night rating must, in the case of single-pilot helicopter operations carried out in terms of Part 127, meet additional experience requirements as prescribed by that Part.

SUBPART 25 TEST PILOT QUALIFICATION

General

61.25.1 (1) For purpose of this Subpart, “test flight” means a flight for the purpose of the issuing, validation or rendering effective an authority to fly or a certificate of airworthiness of an aircraft.

- (2) A test flight must be carried out:
- (a) prior to the initial issuing of a certificate of airworthiness;
 - (b) for the validation required to render effective a certificate of airworthiness previously issued by the Authority;
 - (c) after any maintenance, adjustment or repair likely to affect the flying characteristics of the aircraft as referred to in the maintenance manual prescribed in Part 148;
 - (d) to test the operation or effective functioning of a system of an aircraft that does not affect the flying characteristics of the aircraft;
 - (e) to certify that an aircraft meets all applicable safety and performance requirements for type certification; and
 - (f) to certify that an experimental or prototype aircraft meets all applicable safety and performance requirements for non-type certification.

Pilots qualified to conduct flight test

61.25.2 A test flight must be carried out by:

- (a) a pilot who is a graduate test pilot of one of the test pilot schools recognised and approved by the Executive Director; or

- (b) a graduate test pilot from any other school whose written application and supporting documents have been evaluated against the qualifications listed in this Subpart and accepted by the Executive Director.

Test pilot rating requirements

61.25.3 An applicant for the issuing of a test pilot rating must:

- (a) be 21 years of age or older;
- (b) hold a valid Private Pilot Licence, Commercial Pilot Licence or Airline Transport Pilot Licence;
- (c) hold a valid Class 1 medical certificate issued in terms of Part 67 irrespective of the type of pilot licence held by the applicant;
- (d) be the holder of the appropriate aircraft category rating;
- (e) be the holder of the appropriate aircraft class and type rating;
- (f) have acquired the experience referred to in regulation 61.25.4; and
- (g) have successfully completed the training referred to in subregulation 61.25.5.

Experience required for test pilot rating

61.25.4 An applicant for the issuing of a test pilot rating must:

- (a) if the privileges of the rating are to be exercised as co-pilot of an aircraft or prototype, have acquired no less than 500 hours flight time as pilot-in-command of aircraft; or
- (b) if the privileges of the rating are to be exercised as pilot-in-command of an aircraft or prototype, have completed not less than 1 000 hours of flight time on an aircraft of which 700 hours must be as pilot-in-command of aircraft including at least 300 hours on test flights flown in accordance with a production acceptance test procedure established in terms of Part 148.

Training required for test pilot rating

61.25.5 An applicant for the issuing of a test pilot rating must have successfully completed the appropriate training as prescribed in Document NAM-CATS-FCL 61.

Application for a test pilot rating

61.25.6 An application for the issuing of a test pilot rating must be made to the Executive Director in the appropriate form as prescribed in Document NAM-CATS-FCL 61 and accompanied by:

- (a) a certified true copy of the pilot licence held by the applicant;
- (b) a valid Class 1 medical certificate issued in terms of Part 67;
- (c) a copy of a summary of the logbook of the applicant;

- (d) an original or certified copy of proof that the applicant has successfully completed the appropriate training referred to in regulation 61.25.5; and
- (e) the appropriate
- (f) fee as prescribed in Part 187.

Issuance of a test pilot rating

61.25.7 (1) The Executive Director must issue a test pilot rating if the applicant complies with the requirements referred to in regulation 61.25.3.

(2) The Executive Director must issue the test pilot rating on the appropriate form as prescribed in Document NAM-CATS-FCL 61.

Period of validity of a test pilot rating

61.25.8 Unless revoked or suspended in terms of the Act, a test pilot rating is valid for a period for which the pilot licence held by the holder of the rating is valid: Provided that the holder of the rating may not exercise the privileges of the test pilot rating, unless he or she complies with the provisions of regulation 61.25.9.

Privileges of a test pilot rating

61.25.9 The holder of a test pilot rating is entitled to act as a co-pilot or pilot-in-command of an experimental, prototype aircraft which is engaged in experimental, developmental, or investigative test flying in accordance with the test schedule approved by the Executive Director, for the purpose of issuing a type certificate, or a non-type certificate, or a validation of or rendering effective a certificate of airworthiness of such aircraft.

Maintenance of competency

61.25.10 A person may not act as pilot-in-command of a prototype aircraft, unless he or she has, within the six months immediately preceding the test flight, completed not less than 50 hours of flight time on test flights as co-pilot or pilot-in-command of prototype aircraft.

SUBPART 26 TUG PILOT RATING

Requirements for Tug Pilot Rating

- 61.26.1** (1) An applicant for the issuing of a tug pilot rating must:
- (a) hold a valid private pilot licence, commercial pilot licence or airline transport licence;
 - (b) hold an appropriate type rating for the aircraft in respect of which the applicant will act as a tug pilot; and
 - (c) have acquired at least 60 hours as pilot-in-command of the type of aircraft to be used for the tug operation;
 - (d) complete at least 10 tug operations under the supervision of an appropriately rated Grade I or Grade II flight instructor, or by the holder of a Tug Pilot Rating designated for such purpose in writing by the Executive Director; and

- (e) have demonstrated to an appropriately rated Grade I or Grade II flight instructor or the holder of a Tug Pilot Rating designated for such purpose in writing by the Executive Director, the ability to act as pilot-in-command of a tug aeroplane whilst having an aircraft in tow.

(2) The Grade 1 or Grade II flight instructor who oversees the skills test must endorse the pilot's logbook and submit notification of the endorsement to the Executive Director as set out in Document NAM-CATS-FCL 61.

Application for Tug Pilot Rating

61.26.2 An application for the issuing of a Tug Pilot Rating must be made to the Executive Director in the appropriate form set out in Document NAM-CATS-FCL 61, and be accompanied by:

- (a) a copy of the summary of the logbook of the applicant; and
- (b) the appropriate fee as prescribed in Part 187.

Privileges

61.26.3 Subject to the provisions of the Act the holder of a Tug Pilot Rating is entitled to act as a pilot-in-command of an aircraft during tug operations.

SUBPART 27 TOW RATING

Requirements for a Tow Rating (Aeroplane)

61.27.1 An applicant for a Tow Rating must:

- (a) hold at least a valid Private Pilot Licence (Aeroplane);
- (b) hold the appropriate endorsement for an aircraft within a class rating or type rating for the aeroplane;
- (c) have acquired at least 60 hours as pilot-in-command of a tow aircraft;
- (d) have acquired suitable experience that includes at least completion of 10 tow operations under the supervision of an appropriately rated Grade I or Grade II flight instructor, or by the holder of a Tow Rating designated for such purpose in writing by the Executive Director; and
- (e) have demonstrated to an appropriately rated Grade I or Grade II flight instructor or the holder of a Tow Rating designated for such purpose in writing by the Executive Director, the ability to act as pilot-in-command of an aeroplane while having a banner in tow.

(2) The Grade 1 or Grade II flight instructor who oversees the skills test referred to in subregulation (1) must endorse the pilot's logbook and submit notification of the endorsement to the Executive Director as set out in Document NAM-CATS-FCL 61.

Application for tow pilot rating (Aeroplane)

61.27.2 An application for the issuing of a tow pilot rating is made to the Executive Director in the appropriate form set out in Document NAM-CATS-FCL 61, and accompanied by:

- (a) a copy of the summary of the logbook of the applicant; and
- (b) the appropriate fee as prescribed in Part 187.

Privileges of a Tow Rating (Aeroplane)

61.27.3 The holder of a Tow Rating may act as pilot-in-command of an aeroplane during tow operations.

SUBPART 28 HELICOPTER SLING-LOAD RATING**Requirements for Helicopter Sling-Load Rating**

61.28.1 (1) An applicant for the issuing of a Helicopter Sling-Load Rating must:

- (a) hold, a valid Commercial Pilot Licence (Helicopter) or a valid Airline Transport Pilot Licence (Helicopter);
- (b) hold an appropriate valid class and type rating for the helicopter in respect of which the applicant will carry out helicopter sling-load operations;
- (c) have acquired not less than 250 hours of flight time as pilot-in-command of a helicopter of which not less than five hours flight time of sling load operations must have been undertaken under the supervision of an appropriately rated Grade I or Grade II flight instructor who is the holder of a valid helicopter sling load rating;
- (d) have successfully completed the appropriate training set out in Document NAM-CATS-FCL 61; and
- (e) have successfully undergone a skills test demonstrating to an appropriately rated Grade I flight instructor, or to a person designated by the Executive Director in writing for the purpose, his or her ability to perform as pilot-in-command of a helicopter the procedures and manoeuvres set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of a helicopter sling load rating.

(2) The applicant must undergo the skills test referred to in paragraph (e) of subregulation (1) within 30 days immediately preceding the date of application.

Application for Helicopter Sling-Load Rating

61.28.2 (1) An application for the issuing of a Helicopter Sling-Load Rating must be made to the Executive Director in the appropriate form set out in Document NAM-CATS-FCL 61, and must be accompanied by:

- (a) a copy of a summary of the logbook of the applicant reflecting the appropriate experience;
- (b) certified proof of completion of the training referred to in regulation 61.28.(1)(d); and

- (c) the appropriate fee as prescribed in Part 187.

(2) The Executive Director must issue a helicopter sling load rating, in the appropriate form set out in Document NAM-CATS-FCL 61, if the applicant complies with the prescribed requirements.

Privileges

61.28.3 (1) Subject to the provisions of the Act the holder of a Helicopter Sling-Load Rating is entitled to act in VMC under VFR as pilot-in-command of the type of helicopter for which the holder is class and type rated, engaged in sling-load operations.

(2) The privileges referred to in subregulation (1) may only be exercised at night if the holder of the sling load rating is also the holder of the night rating, and the position of the helicopter, its flight attitude and its height can be maintained by reference to external objects, adequately illuminated by helicopter, ground or celestial lighting.

(3) Despite the provisions of subregulation (1), the privileges referred to in that subregulation may be exercised in IMC under IFR by an appropriately rated helicopter pilot who is also the holder of a valid helicopter Instrument Rating: Provided that the uplift and laying down of the sling load is carried out with the use of external visual references by day or night and prior approval is received from the Executive Director.

Period of validity of Helicopter Sling-Load Rating

61.28.4 A Helicopter Sling-Load Rating is valid as long as the pilot licence and type rating held are valid.

SUBPART 29 HELICOPTER WINCHING RATING

Requirements for Winching Rating (Helicopter)

61.29.1 (1) A person who applies for the issuing of a helicopter winching rating must:

- (a) hold a valid Commercial Pilot Licence (Helicopter) or a valid Airline Transport Pilot Licence (Helicopter);
- (b) hold an appropriate valid type rating for the helicopter in respect of which the applicant will carry out winching operations;
- (c) have acquired at least 250 hours of flight time experience as pilot-in-command of a helicopter of which not less than five hours flight time of winching operations must have been undertaken under the supervision of an appropriately rated Grade II or Grade I flight instructor, who is the holder of a valid helicopter winching rating;
- (d) have successfully completed the training as set out in Document NAM-CATS-FCL 61; and
- (e) have successfully passed the prescribed skills test by demonstrating, to an appropriately rated Grade I flight instructor, or to a person designated by the Executive Director in writing for the purpose, the ability to perform as pilot-in-command of a helicopter the procedures and manoeuvres as set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of a helicopter winching rating referred to in regulation 61.29.3.

- (2) The applicant must undergo the skills test referred to in paragraph (e) of subregulation (1) within 30 days immediately preceding the date of application.

Application for Winching Rating (Helicopter)

61.29.2 (1) An application for the issuing of a helicopter winching rating must be made to the Executive Director in the appropriate form set out in Document NAM-CATS-FCL 61; and accompanied by:

- (a) a copy of a summary of the logbook reflecting the relevant experience of the applicant;
- (b) proof of completion of the training referred to in paragraph (d) of subregulation (1) of regulation 61.29.1; and
- (c) the appropriate fee as prescribed in Part 187.

(2) If the applicant for the issuing of a helicopter winching rating complies with the prescribed requirements, the Executive Director must issue a helicopter winching rating in the form set out in Document NAM-CATS-FCL 61.

Privileges

61.29.3 (1) The holder of a helicopter winching rating is entitled to act as pilot-in-command of the type of helicopter for which the holder is rated under VMC, for a helicopter engaged in helicopter winching operations.

(2) The privileges referred to in subregulation (1) may only be exercised at night if the holder of the winching rating is also the holder of the night rating and the position of the helicopter, its flight attitude and its height can be maintained by reference to external objects, adequately illuminated by helicopter, ground or celestial lighting.

- (3) The privileges of the helicopter winch rating may not be exercised in IMC.

Period of validity of Winching Rating (Helicopter)

61.29.4 A Helicopter Winching Rating is valid for the period for which the pilot licence and type rating are valid.

SUBPART 30 HELICOPTER GAME OR LIVESTOCK CULL RATING

Requirements for Helicopter Game or Livestock Cull Rating

61.30.1 (1) An applicant for the issuing of a Helicopter Game or Livestock Cull Rating must:

- (a) hold a valid Commercial Pilot Licence (Helicopter) or a valid Airline Transport Pilot Licence (Helicopter);
- (b) hold an appropriate valid type rating for the helicopter in respect of which the applicant will carry out game or livestock cull operations;
- (c) have acquired the relevant experience that should at least include completion of not less than 100 hours of flight time as pilot-in-command of a helicopter of which not less than five hours of flight time of game or livestock cull operations must have been undertaken under the supervision of:

- (i) an appropriately rated Grade I or Grade II flight instructor who is the holder of a valid Helicopter Game or Livestock Cull Rating; or
- (ii) a pilot designated in writing for the purpose by the Executive Director;
- (d) have successfully completed the training as set out in Document NAM-CATS-FCL 61; and
- (e) have successfully undergone a skills test demonstrating to a Designated Flight Examiner, in a suitable helicopter for which the Helicopter Game or Livestock Cull Rating is sought, the ability to perform the procedures and manoeuvres as set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of the Helicopter Game or Livestock Cull Rating.

Application for Helicopter Game or Livestock Cull Rating

61.30.2 (1) An application for the issuing of a Helicopter Game or Livestock Cull Rating must be made to the Executive Director in the appropriate form set out in Document NAM-CATS-FCL 61, and accompanied by:

- (a) a copy of a summary of the logbook reflecting the relevant experience of the applicant;
- (b) proof of completion of the training referred to in regulation 61.30.1 (1)(d); and
- (c) the appropriate fee as prescribed in Part 187.

(2) If the applicant for a Helicopter or Livestock Cull Rating complies with the prescribed requirements, the Executive Director must issue a Helicopter Game or Livestock Cull Rating in the form set out in Document NAM-CATS-FCL 61.

Privileges and limitations

61.30.3 (1) The holder of a Helicopter Game or Livestock Cull Rating is entitled to act as pilot-in-command of the type of helicopter for which the holder is rated, engaged in game or livestock cull operations.

(3) A person may not act as pilot-in-command of a helicopter engaged in game or livestock culling operation, unless within the 12 months immediately preceding the intended flight he or she has performed a game or livestock culling operation in a helicopter of the same type by name either independently or under the supervision of an appropriately rated Grade I or Grade II flight instructor.

Period of validity of Helicopter Game or Livestock Cull Rating

61.30.4 A game or livestock cull rating (for helicopter) is valid for the period for which the pilot licence and type rating held by the holder of the rating is valid.

SUBPART 31 AGRICULTURAL PILOT RATING

Requirements for Agricultural Pilot Rating

61.31.1 (1) An applicant for the issue of an Agricultural Pilot Rating must:

- (a) hold a valid pilot licence issued in terms of Part 61 or Part 62 in the category aeroplane, helicopter, or other applicable licence or type ratings and in the event of acting for remuneration, hold at least a valid Commercial Pilot Licence (Aeroplane or Helicopter) or a valid Part 96 authorisation, as applicable;
- (b) hold an appropriate valid class and type rating for the aircraft in respect of which the applicant will carry out agricultural operations;
- (c) hold an environmental clearance certificate required in terms of the environmental legislation of Namibia, if required in terms of such legislation;
- (d) have acquired not less than 300 hours of flight time experience, which must include not less than 30 hours in the case of aeroplanes and 10 hours in the case of helicopters, of flight experience in aerial applications under supervision by a suitably qualified person; and
- (e) have undergone the skills test referred to in regulation 61.31.3.

(2) At least two hours of the flight experience referred to in subregulation (1) must be dual instruction conducted by the holder of an appropriately rated Grade I or a Grade II flight instructor who is the holder of the appropriate category, class or type rating and the Agricultural Pilot Rating.

(3) The remainder of the prescribed flight experience referred to in subregulation (1) may be conducted under the supervision of the holder of a valid Commercial or Airline Transport Pilot Licence (Aeroplane or Helicopter) as the case may be, with an Agricultural Pilot Rating, designated by the Executive Director in writing for the purpose.

Application for an Agricultural Pilot Rating

61.31.2 (1) An application for an Agricultural Pilot Rating must be made to the Executive Director in the appropriate form set out in Document NAM-CATS-FCL 61.

(2) The application must be accompanied by:

- (a) a certified true copy of the environmental clearance certificate referred to in regulation 61.31.1;
- (b) a copy of the relevant page of the logbook of the applicant;
- (c) the skills test report as set out in Document NAM-CATS-FCL 61; and
- (d) the appropriate fee as prescribed in Part 187.

(3) The Executive Director must issue an Agricultural Pilot Rating in the form prescribed in Document NAM-CATS-FCL 61 if the applicant complies with the prescribed requirements.

(4) An Agricultural Pilot Rating is valid for as long as the pilot licence and the environmental clearance certificate held by the holder of the rating, remains valid.

Skills test

61.31.3 (1) An applicant for the issue of an Agricultural Pilot Rating must have demonstrated to a Grade I instructor with an Agricultural Rating, or to a person designated by the Executive Director in writing for the purpose, the ability to perform as pilot-in-command of the type of aircraft for which the applicant is rated, the procedures and manoeuvres as set out in Document NAM-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of an Agricultural Pilot Rating.

(2) The applicant for an Agricultural Pilot Rating must have undergone the skills test referred to in subregulation (1), within the 30 days immediately preceding the date of application.

(3) The skills test referred to in subregulation (1) must be carried out in an aircraft which is equipped with dispensing apparatus and which is certificated for agricultural operations in terms of Part 21 or Part 24 as the case may be.

Privileges

61.31.4 (1) Subject to the provisions of the Act the holder of an Agricultural Pilot Rating is entitled to act as pilot-in-command of the type of aircraft for which the holder is rated, engaged in agricultural operations.

(2) The holder of an Agricultural Pilot Rating may not exercise the privilege in subregulation (1) unless such pilot has:

- (a) within the 12 months immediately preceding the flight, conducted at least five hours of agricultural flight time; or
- (b) successfully undergone a skills test as contemplated in regulation 61.31.3 and which has been endorsed in the pilot's logbook.

(3) The holder of a Recreational or Private Pilot Licence (Helicopter) may not exercise the privilege in subregulation (1) for hire or reward or while engaged in a commercial air transport operation unless the holder of the Recreational Pilot Licence (Helicopter) is also the holder of the appropriate Part 96 Authorisation.

SUBPART 32 DESIGNATED EXAMINERS**Categories of Examiners**

61.32.1 (1) Designation of examiners may be in one or more of the following categories:

- (a) Flight Examiner (FE);
- (b) Type Rating Examiner (TRE);
- (c) Class Rating Examiner (CRE);
- (d) Commercial & Instrument Rating Examiner (CIRE);
- (e) Airline Transport Pilot Examiner (ATPE);
- (f) Flight Instructor Examiner (FIE); and

- (g) Synthetic Flight Examiner (SFE);
- (h) Glider Flight Examiner (GFE);
- (i) Free Balloon Flight Examiner (FBFE); and
- (j) Airship Flight Examiner (AsFE);

(2) Any reference to “examiner” in this Subpart means a reference to each and every category of the examiners referred to in subregulation (1).

(3) Designation in any of the categories referred to in subregulation (1) may be in any of the aircraft categories and will be indicated by the letters A, H, G, B or A for Aeroplane, Helicopter, Glider, Free Balloon or Airship respectively.

(4) Examiners may be designated in more than one of the aircraft categories provided that they meet the qualification and experience requirements set out in this Subpart for each of the aircraft categories for which authorisation is sought.

(5) In order to provide for exceptional circumstances, the Executive Director may, on written application, approve a national of an appropriate authority to act as a Foreign Flight Examiner (FFE), for a period not exceeding 90 days, for the purposes of Instrument Rating revalidation, class and type rating revalidations, initial type ratings or differences training.

(6) The FFE must comply with the validation requirements of regulation 61.01.10.

(7) The Executive Director must issue the designation referred to in subregulation (5) in writing, subject to the payment of relevant fee referred to in Part 187.

(8) In order to be considered for the purposes of subregulation (5), the applicant for designation as examiner must meet at least the following minimum experience and qualification levels:

- (a) hold the equivalent examiner designation or qualifications prescribed in the technical standards for examiners of the same nature issued by the appropriate authority and acceptable to the Executive Director; or
- (b) hold at least a valid Commercial Pilot Licence; and
- (c) have accumulated not less than 2 000 flying hours, of which at least:
 - (i) 100 hours must be instrument flight time;
 - (ii) 50 hours must be night flight time; and
 - (iii) 100 hours must be as pilot-in-command on type;
- (d) in the case of a type rating, the applicant must have accumulated not less than 10 hours as instructor on type;
- (e) in the case the applicant does not hold the equivalent of a Namibian Grade II Flight Instructor Rating, such person must act under the supervision of a suitably qualified instructor, a Designated Flight Examiner, an authorised officer or a person with examining privileges designated by the Executive Director.

General requirements for designation as flight examiners

61.32.2 An applicant for designation as flight examiner must:

- (a) hold at least a valid Commercial Pilot Licence in the applicable category of aircraft and a valid Grade I or Grade II Flight Instructor Rating or in the case of a Type Rating Examiner, a Type Rating Instructor certificate;
- (b) hold valid licences and type or class ratings issued in terms of this Part, at least equal to the licence and ratings for which he or she seeks authorisation to conduct skills tests or proficiency checks and unless specified otherwise, the appropriate valid flight instructor rating and endorsements;
- (c) be qualified to act as pilot-in-command of the aircraft during a skills test or proficiency check;
- (e) meet the applicable experience requirements prescribed under 61.32.3;
- (e) meet the conditions as prescribed in the Regulations and in Document NAM-CATS-FCL 61;
- (f) have attended a flight examiner assessment course, as prescribed in Document NAM-CATS-FCL 61;
- (g) have conducted at least one skills test in the role of a candidate examiner for which designation is sought and be trained and exercised in:
 - (i) briefing of candidate prior to a skills test;
 - (ii) conduct of the skills test;
 - (iii) de-briefing after the skills test; and
 - (iv) handling of post-test documentation;
- (h) have undergone a Designated Examiner Acceptance Skills Test otherwise known as the Flight Examiner Oversight Monitored check flight prescribed in paragraph 2 of NAM-CATS 61.32.2 and conducted by an Aviation Safety Inspector (ASI) or an authorised officer or by a Designated Flight Examiner appointed for the purpose by the Executive Director;
- (i) be currently active in the field of aviation for which the designation is sought; and
- (j) prior to initial appointment, appear before and be approved by a panel constituted by the Executive Director for the purpose of assessing the eligibility of the candidate examiner for designation.

Specific requirements for designation as flight examiners

61.32.3 (1) An applicant for designation as a Flight Examiner (Aeroplane) (FE (A)) must meet the following additional requirements:

- (a) for conducting skills tests for the issue of the PPL (A) and skills tests and proficiency checks for associated single-pilot class and type ratings, except for single-pilot high performance complex aeroplanes, the applicant must have:

- (i) completed at least 1,000 hour of flight time as a PI on aeroplanes or TMGs, of which at least 300 in aeroplane class for designation;
 - (ii) 500 hours of flight instruction in aeroplanes and 100 in class;
 - (iii) 100 hours pilot-in-command night time.
 - (b) for conducting skills tests for the issue of the CPL (A) and skills tests and proficiency checks for the associated single-pilot class and type ratings, except for single-pilot high performance and complex aeroplanes, the applicant must have:
 - (i) a CPL (A), appropriate class rating;
 - (ii) a valid Flight Instructor (FI) Grade II rating with an aeroplane category and an appropriate class rating.
 - (iii) 2000 hours as pilot-in-command which includes at least
 - (iv) 1000 hours in aeroplanes;
 - (v) 500 hours in the class of aeroplane for which the designation is sought;
 - (vi) 100 hours in aeroplanes at night;
 - (vii) 200 hours in high performance and complex aeroplanes;
 - (viii) 500 hours as a FI in aeroplane which includes at least 100 hours of flight instruction given in the class of aeroplane appropriate to the designation sought;
 - (ix) 200 hours as an instrument FI of which 100 hours were in aeroplanes; and
 - (x) 100 instruction time preparing pilots for CPL.
- (2) An applicant for designation as a Flight Examiner (Helicopter) (FE (H)) must meet the following additional requirements:
- (a) for conducting skills tests for the issue of the PPL (H) and skills tests and proficiency checks for associated class and type ratings:
 - (i) completed at least 1,000 hours of flight time as a pilot-in-command, of which at least 500 were in helicopters; and
 - (ii) 200 hours of flight instruction in helicopters.
 - (b) for conducting skills tests for the issue of the CPL(H) and skills tests and proficiency checks for the associated single-pilot single engine helicopter type ratings:
 - (i) hold a CPL (H), appropriate class rating;
 - (ii) hold a valid FI Grade II rating with a helicopter category and appropriate class rating;
 - (iii) 2000 hours flight time as PI, of which at least 500 hours were in helicopters;

- (iv) 200 hours as a FI in helicopters which includes; and
 - (v) 50 hours instruction time preparing pilots for CPL;
 - (c) if applying for large helicopters to be listed on the designation certificate, 100 hours acting as pilot-in-command in large helicopters, including a minimum of 50 hours in the type sought.
- (3) An applicant for designation as a Type Rating Examiner (Aeroplane) (TRE (A)) must meet the following additional requirements:
- (a) in the case of MP aeroplanes, have completed 1,500 hours of flight time as a pilot of MP aeroplanes, as applicable, of which at least 500 hours may be as PIC as pilot-in-command;
 - (b) in the case of single pilot high performance complex aeroplanes, have completed 500 hours of flight time as a pilot of single pilot aeroplanes, of which at least 200 hours may be as pilot-in-command;
 - (i) hold a CPL or ATPL and a FI rating or TRI certificate for the applicable type;
 - (ii) for the initial issue of a TRE designation, have completed at least 50 hours of flight instruction as a FI, TRI or SFI with a type rating endorsement in the applicable type or FSDT representing that type.
- (4) An applicant for designation as a Type Rating Examiner (Helicopter) (TRE (H)) must meet the following additional requirements:
- (a) hold a TRI (H) certificate or, in the case of single-pilot single-engine helicopters, a valid FI (H) rating with a TRI endorsement for the applicable type;
 - (b) for the initial issue of a TRE certificate, have completed 50 hours of flight instruction as a TRI, FI or SFI in the applicable type or FSTD representing that type;
 - (c) in the case of multi-pilot helicopters:
 - (i) hold a CPL (H) or ATPL(H); and
 - (ii) have completed 1,000 hours of flight as a pilot on multi-pilot helicopters; of which at least 500 hours must be as pilot-in-command.
 - (d) in the case of single-pilot multi-engine helicopters:
 - (i) have completed 1,000 hours of flight as pilot on helicopters, of which at least 500 hours must be as pilot-in-command; and
 - (ii) hold a CPL (H) or ATPL (H) and, when applicable, a valid IR (H).
 - (e) in the case of single-pilot single-engine helicopters:
 - (i) have completed 750 hours of flight as a pilot on helicopters, of which at least 500 hours must be as pilot-in-command; and
 - (ii) hold a CPL (H) or ATPL (H);

- (f) to extend the authorisation of a TRE (H) from single-pilot multi-engine to multi-pilot multi-engine authorisation on the same type of helicopter, the holder must have at least 100 hours in multi-pilot operations on this type.

(5) An applicant for designation as a Class Rating Examiner (Aeroplane) (CRE A) must meet the following additional requirements:

- (a) hold a CPL (A), or ATPL (A) with single pilot privileges;
- (b) hold a Grade II FI rating with a class rating instructor endorsement for the applicable class or type; and
- (c) have completed 500 hours of flight time as a pilot on aeroplanes.

(6) An applicant for designation as a Class Rating Examiner (Helicopter) (CRE (H)) must meet the following additional requirements:

- (a) hold a CPL (H), or ATPL (H) with single pilot privileges;
- (b) hold a Grade II FI rating with class rating instructor endorsement certificate for the applicable class or type; and
- (c) have completed 500 hours of flight time as a pilot on helicopters.

(7) An applicant for designation as a Commercial and Instrument Rating Examiner (Aeroplane) (CIRE (A)) must meet the following additional requirements:

- (a) hold a commercial pilot licence with an aeroplane category rating, the appropriate class rating or ratings, and an Instrument (A) rating;
- (b) hold a valid FI rating with an aeroplane category, the appropriate class rating(s) and an IF (A) rating; and
- (c) have 2000 hours as PI, which includes at least:
 - (i) 1000 hours in aeroplanes;
 - (ii) 500 hours in the class of aeroplane for which the designation is sought;
 - (iii) 200 hours of instrument flight time in actual or simulated conditions; and
 - (iv) 100 hours at night in aeroplanes;
 - (v) 500 hours as a FI in aeroplanes which include at least:
 - (aa) 100 hours of flight instruction given in the class of aeroplanes applicable to the designation sought; and
 - (ba) 250 hours of IF instruction, of which 200 hours were given in aeroplanes;
- (d) if applying for large, turbine-powered aircraft to be listed on the designation certificate, an additional 300 hours acting as pilot-in-command in large, turbine powered aircraft, of which at least 50 hours in the type sought is required, and 25 hours on type for each additional type.

(8) An applicant for designation as a Commercial and Instrument Rating Examiner (Helicopter) (CIRE (H)) must meet the following additional requirements:

- (a) hold a valid CPL (H) with appropriate class rating, and an IF (H) rating;
- (b) have 2000 hours as PIC which includes at least:
 - (i) 500 hours in helicopters; and
 - (ii) 200 hours of IF time in actual or simulated conditions;
- (c) for authority to conduct skills tests in large or turbine-powered Helicopters:
 - (i) 100 hours as PIC of large helicopters, of which 50 hours are in the type of helicopter for which designation is sought; and
 - (ii) 25 hours for each additional type of large helicopter for which designation is sought.
 - (iii) 250 hours as a FI (H), which include at least:
 - (aa) 100 hours of flight instruction given in preparing pilots for CPL(H); and
 - (ba) 50 hours of IF instruction in helicopters.

(9) An applicant for designation as an Airline Transport Pilot Examiner (Aeroplane) (ATPE (A)) must meet the following additional requirements:

- (a) hold an ATPL with an aeroplane category rating, appropriate class rating(s) and an IF (A) rating;
- (b) hold a valid FI (A) rating with the appropriate class rating(s) and an IF (A) rating;
- (c) have 2000 hours as PIC, which includes at least:
 - (i) 1500 hours in aeroplanes;
 - (ii) 500 hours in the class of aeroplane for which the designation is sought;
 - (iii) 100 hours at night in aeroplanes;
 - (iv) 200 hours in complex aeroplanes;
 - (v) 100 hours of IF time in actual or simulated conditions; and
 - (vi) 500 hours as a FI in aeroplanes, which include at least:
 - (aa) 100 hours of flight instruction given in the class of aeroplane applicable to the designation sought;
 - (ba) 250 hours of IF instruction, of which 200 hours were given in aeroplanes; and

- (ca) 150 hours flight instruction given to pilots, preparing them for a CPL (A) or ATPL (A) or an IR (A);
- (d) to conduct skills tests in large or turbine powered aeroplanes additional requirements are:
 - (i) 300 hours in large or turbine-powered aeroplanes, of which 50 hours are in the type of aeroplane for which designation is sought, and
 - (ii) 25 hours for each additional type of large aeroplane for which designation is sought.
- (10) An applicant for designation as an Airline Transport Pilot Examiner (Helicopter) (ATPE (H)) must meet the following additional requirements:
 - (a) hold an ATPL (H) with appropriate class rating(s) and an IF (H) rating;
 - (b) hold a valid FI (H) rating with the appropriate class rating(s) and an IF (H) rating;
 - (c) have 2000 hours as PIC, which includes at least:
 - (i) 1200 hours PIC in helicopters;
 - (ii) 100 hours as FI or IF in actual or simulated conditions;
 - (iii) for authority to conduct skills tests in large helicopters:
 - (aa) 100 hours PIC in large helicopters, of which 50 hours are in the type of helicopter for which designation is sought, and
 - (ba) 25 hours for each additional type of large helicopter for which designation is sought;
 - (iv) have 250 hours as a FI (H), which include at least:
 - (aa) 100 hours of flight instruction given, preparing pilots for CPL(H) or ATPL(H); and
 - (ba) 50 hours of IF instruction in helicopters.
- (11) An applicant for designation as a Flight Instructor Examiner (Aeroplane) (FIE (A)) must meet the following additional requirements:
 - (a) the requirements for a CIRE designation, as appropriate for the category and class of aircraft pertinent to the FIE designation sought;
 - (b) have held a CIRE designation for at least a year prior to designation as a FIE;
 - (c) hold the relevant FI rating endorsement as applicable;
 - (d) have completed 2000 hours of flight time as a pilot on aeroplanes; and
 - (e) have at least 100 hours of flight time instructing applicants for FI rating with the relevant endorsement.

(12) An applicant for designation as a Flight Instructor Examiner (Helicopter) (FIE (H)) must meet the following additional requirements:

- (a) hold the relevant FI rating and endorsement, as applicable;
- (b) have completed 2000 hours of flight time as pilot on helicopters; and
- (c) have at least 100 hours of flight time instructing applicants for a FI rating with relevant endorsement.

(13) An applicant for designation as a Synthetic Flight Examiner (Aeroplane) (SFE (A)) must meet the following additional requirements:

- (a) hold or have held an ATPL (A), a class or type rating and a SFI (A) certificate for the applicable type of aeroplane;
- (b) have at least 1500 hours of flight time as a pilot on multi-pilot aeroplanes; and
- (c) for the initial issue of a SFE designation, have completed at least 50 hours of synthetic flight instruction as a SFI (A) on the applicable type.

(14) An applicant for designation as a Synthetic Flight Examiner (Helicopter) (SFE (H)) must meet the following additional requirements:

- (a) hold or have held an ATPL(H), a class or type rating and an SFI (H) certificate for the applicable category and type of helicopter;
- (b) have at least 1500 hours of flight time as a pilot on multi-pilot helicopters; and
- (c) for the initial issue of an SFE (H) designation, have completed at least 50 hours of synthetic flight instruction as a SFI (H) on the applicable type.

(15) An applicant for designation as a Designated Flight Examiner (Glider) DFE (G)) must meet the following additional requirements:

- (a) hold at least a valid Glider Pilot Licence and a valid Grade II FI rating; and
- (b) have accumulated in gliders, not less than 1000 flying hours, of which at least:
 - (i) 500 hours must be in the appropriate class of gliders;
 - (ii) 200 hours must be flight instruction time on the specific type of glider for which designation is sought.

(16) An applicant for designation as a Designated Flight Examiner (Free Balloon) (DFE (FB)) must meet the following additional requirements:

- (a) hold at least a valid CPL (FB) and a valid Grade I FI rating; and
- (b) have accumulated in FB not less than 1 000 flying hours, of which at least:
 - (i) 500 hours must be in the appropriate class of FBs;
 - (ii) 200 hours must be flight instruction time on the specific type of FB for which designation is sought.

(17) An applicant for designation as a Designated Flight Examiner (Airship) (DFE (As)) must meet the following additional requirements:

- (a) hold at least a valid CPL (As) and a valid Grade I FI rating; and
- (b) have accumulated in airships not less than 1 000 flying hours, of which at least:
 - (i) 500 hours must be in the relevant class of As;
 - (ii) 200 hours must be flight instruction time on the specific type of As.

(18) An applicant for authorisation to act as examiner in a skills test or a proficiency check in respect of a helicopter sea class rating, a helicopter Agricultural Pilot Rating, a helicopter sling load rating, a helicopter winching rating, or a Helicopter Game or Livestock Cull Rating, must be the holder of the applicable valid rating.

(19) An applicant for designation as a Designated Flight Examiner (Aeroplane or Helicopter or Powered-lift) must, prior to conducting a skills test in a FSTD, have conducted a similar test under the supervision of a Designated Flight Examiner who has experience at examining skills tests in a FSTD.

Application for designation as flight examiner

61.32.4 (1) An application for designation as flight examiner must be made to the Executive Director on the form set out in Document NAM-CATS-FCL 61 and must be accompanied by:

- (a) original or certified copy of the two most recent pages of the applicant's flying logbook indicating flying experience;
- (b) proof of holding the required valid licence;
- (c) original or certified proof of the applicant having successfully attended the flight examiner assessment course as prescribed in subregulation 61.32.2(f);
- (d) original or certified proof of the applicant having passed the examiner designation acceptance test as prescribed in subregulation 61.32.2(h);
- (e) motivation as to why the applicant believes he or she should be considered for designation; and
- (f) the applicable fee as prescribed in NAM-CARS 187.

(2) An application in terms of subregulation (1), containing any incorrect, false or misleading information, including in respect of any supporting documentation must be disqualified.

(3) If any incorrect, false or misleading information comes to light, subsequent to the approval of the application in terms of subregulation (1), the Executive Director may in terms of Sections 42 to 45 of the Act suspend or revoke the designation of a person as a Designated Flight Examiner.

(4) In addition to the suspension or revocation, referred to in subregulation (3), criminal proceedings may be instituted in terms of Part 185 and any tests that may have been conducted by the applicant may be declared invalid.

Issuing of designation as Designated Flight Examiner

61.32.5 (1) The Executive Director may issue a designation as flight examiner in the form determined by the Executive Director, if the applicant:

- (a) meets the requirements prescribed in regulations 61.32.2 and 61.32.3;
- (b) has a good record as a pilot and as flight instructor as far as safety and adherence to the regulations are concerned; and
- (c) signs an undertaking to abide by the Code of Conduct for Designated Flight Examiners as compiled by the Executive Director.

(2) The designation referred to in subregulation (1) must indicate the period of validity, its category, and any endorsements, restrictions or limitations that may apply.

(3) An initial designation as examiner is valid for a period of one year from date of designation, and after that for a period of 24 months.

(4) If designation referred to in subregulation (1) is refused, despite the fact that the applicant meets the requirements the Executive Director must provide the applicant with written reasons for the refusal.

Re-designation as Designated Flight Examiner

61.32.6 (1) An application for re-designation as flight examiner must be made on the form set out in Document NAM-CATS-FCL 61 to reach the Executive Director not less than 90 days prior to the beginning of the month in which the designation expires, together with the non-refundable fee as prescribed in Part 187.

(2) Submission of an application in terms of subregulation (1) does not automatically entitle the applicant to continue to exercise the privileges of a Designated Flight Examiner after the expiry date.

- (3) Redesignation of as Flight Examiners is dependent on the examiner:
 - (a) having attended at least one Designated Flight Examiners conference or workshop under the auspices of the Authority during the preceding 12 months from expiry of his or her current designation;
 - (b) having been subjected to the oversight prescribed in regulation 61.32.7;
 - (c) having completed at least five skills tests or proficiency checks annually to the standard required by the Executive Director; and
 - (d) having complied with the duties as prescribed in Document NAM-CATS-FCL 61.

Designation, oversight, suspension and revoking of designation as Flight Examiner

61.32.7 (1) A designation to act as flight examiner is a privilege and not a right and, a designation or re-designation is not automatic upon meeting the requirements of this subpart.

(2) The designated flight examiner conducts tests or checks on behalf of the Authority.

(3) The Executive Director must exercise oversight in respect of DFE, before the designation and after the designation within 12 months after initial designation and after that at least once every two years in respect of each Designated Flight Examiner for the purposes of compliance with the requirements, including maintenance of flight and safety standards.

(4) If the Executive Director has reasonable grounds to suspect misconduct, or any commissions or omissions that could compromise flight safety, he or she may refuse to designate, or may suspend or revoke designation as flight examiner.

(5) The Executive Director must provide written reasons for any refusal to designate, or any suspension, revocation, or limitation of designation as flight examiner.

Authorisations and limitations of Designated Flight Examiners

61.32.8 (1) The Executive Director must determine the authorisations and limitations of a Designated Flight Examiner dependent upon the applicant's qualifications, recent and total flight experience and must specify the qualifications and experience on the certificate issued by the Executive Director.

(2) If a Designated Flight Examiner exercises the authorisations of his or her designation as an observer in flight or in an approved FSTD, and not as a required flight crew member, the holder of the designation is not required to hold a valid medical certificate.

(3) A Designated Flight Examiner must limit the number of skills tests and proficiency checks to a maximum of four tests or checks for each working day, subject to the limitations of Part 91 or the operator's flight and duty time limitations as filed with the Executive Director.

(4) A skills test or proficiency check may be conducted by a Designated Flight Examiner in an aircraft under the following conditions:

- (a) if a test is to be administered in a piston engine aeroplane (single- or multi-) having a maximum certificated mass of 5 700 kg or less, or in a helicopter, as the case may be, and if the Designated Flight Examiner is not current on such aircraft, the pilot to be tested must have a valid licence and be appropriately rated to act as pilot-in-command on the aircraft;
- (b) in the case where the test is to be executed in aircraft that require a single-engine turboprop class rating or type rating to be endorsed in the pilot licence, the Designated Flight Examiner must be instructor rated in that class or type of aircraft;
- (c) for the purposes of conducting an Instrument Rating revalidation in an aircraft certified for multi crew operation, and if the Designated Flight Examiner is not rated, the aircraft crew must comprise of two appropriately licenced pilots, and where the test is assessed by the Designated Flight Examiner, not occupying a pilot seat; and
- (d) the Designated Flight Examiner, when occupying a pilot seat as examiner in an aircraft with a maximum certificated mass in excess of 5 700 kg must hold a valid type rating for the aircraft in which the test is being carried out.

- (5) DE's may conduct skills test or proficiency checks in an approved FSTD, under the following conditions:
- (a) except as otherwise stated, a flight simulator training device, whether a flight simulator (FFS) or flight training device (FTD) used for flight checks must:
 - (i) meet the requirements of the simulator manual or equivalent document of an appropriate authority; and
 - (ii) provide visual scenery approved for circling to permit the demonstration of one approach manoeuvre to land, where the flight crew is authorised to conduct circling approaches in accordance with the company operations manual;
 - (b) if conducting a skills test or proficiency check or an OPC in an approved FSTD the DE's may not participate as a crew member and must limit their activities to the conduct of the PPT/OPC;
 - (c) the DE must conduct the skills test or proficiency check in real time to maintain verisimilitude and only use freeze and repositioning sparingly;
 - (d) the DE may not operate the approved FSTD unless qualified to do so;
 - (e) simulators must have for each observer an approved seat secured to the floor and fitted with positive restraint devices.
 - (f) the seat referred to in paragraph (e) must safely restrain the occupant during any known or predicted motion system excursion;
 - (g) if the simulator is unserviceable, the DE must refer to the Simulator Component Inoperative Guide, the Simulator Manual and the simulator qualification documents to determine if the test or check can proceed with the unserviceability;
 - (h) if guidance referred to in paragraph (g) is not available, the DE may refer to the NAMCARs, aircraft MEL, AOM/AFM, and use their experience and judgment to continue the test or check;
 - (i) if requesting a monitored check ride for a DE in a simulator with seating for four persons, the operator has the following options:
 - (aa) ask the training centre to add a seat to the simulator and observer seats must be secured to the floor of the flight simulator fitted with positive restraint devices and be of sufficient integrity to safely restrain the occupant during any known or predicted motion system excursion;
 - (ba) co-ordinate simulator training for the monitored DE to operate the (ca) console (replacing the sim operator);
 - (ca) use a different simulator that has sufficient seating;
 - (j) the Executive Director may also assess the possibility to conduct a monitor on a different aircraft type, where the DE has authority on more than one type;
 - (k) special cases must be assessed on an individual basis to determine the particular requirements;

- (l) authorisations and limitations for aeroplane and helicopter flight examiners are based on their qualifications and experience and will be contained in the examiner authorisation letter;
- (m) the following authorisations apply to gliders, free balloons and airship flight examiners:
 - (i) a DFE (G) will be authorised to exercise the test or check privileges of a Grade II Flight Instructor (Glider), and to conduct the skills tests or proficiency checks for the issue, revalidation or re-issue of a Grade II and III Flight Instructor Rating;
 - (ii) a DFE (FB) will be authorised to exercise the test/check privileges of a Grade I Flight Instructor (Free Balloon), and to conduct the skills tests or proficiency checks for the issue, revalidation or re-issue of a Commercial Free Balloon Pilot Licence and a Grade I, II and III Flight Instructor Rating;
 - (iii) a DFE (As) will be authorised to exercise the test/check privileges of a Grade I Flight Instructor (Airship), and to conduct the skills tests or proficiency checks for the issue, revalidation or re-issue of a Commercial Airship Pilot Licence and a Grade I, II and III Flight Instructor Rating;
- (n) in the case of a person designated in terms of subregulation (4) of regulation 61.32.1 to exercise the authorisations granted to him or her by the Executive Director; and
- (o) if a skills test or proficiency check involves a rating for special purposes, the examiner must be the holder of such special purpose rating.

Crew member status of Designated Flight Examiners

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

(2) A Designated Flight Examiner may be allowed to act as pilot-in-command of an aircraft during a flight test under the following circumstances:

- (a) the skills test or proficiency check is for the issue of an Instrument Rating;
- (b) the skills test or proficiency check is for an aircraft type rating conducted from a pilot seat;
- (c) the Designated Flight Examiner considers this to be necessary in the interest of safety and the skills test or proficiency check is for the issue of an initial private pilot licence; and
- (d) in all other cases the status of the Designated Flight Examiner must be that of an observer.

Skills tests and proficiency checks by Designated Flight Examiners

61.32.10 Guidelines in respect of conducting skills tests and proficiency checks are set out in Document NAM-CATS-FCL 61.

Register of Designated Flight Examiners

61.32.11 (1) The Executive Director must keep a register of Designated Flight Examiners and persons approved by the Executive Director to act as Designated Flight Examiners.

(2) The register referred to in subregulation (1) must contain the following details:

- (a) name of the examiner;
- (b) category and authorisations and limitations of the designation or approval;
- (c) licences and ratings held by the examiner; and
- (d) expiry date.

(3) The Executive Director must on the Authority's website publish the names and details of Designated Flight Examiners.

SUBPART 33 AEROBATICS RATING**Requirements for an Aerobatics Rating (Graduate)**

61.33.1 (1) For the purpose of this Subpart "designated ARO" means an organisation, approved or designated by the Executive Director in accordance with Part 149 to have control over aerobatics sport activities prescribed in NAM-CATS Part 61.

(2) An applicant for an Aerobatics Rating (Graduate) must:

- (a) hold at least a valid Private Pilot Licence (Aeroplane);
- (b) be a member of a designated ARO;
- (c) have completed the aerobatics training course prescribed in Document NAM-CATS-FCL 61;
- (d) hold the appropriate type rating for the aeroplane; and
- (e) passed the skills test demonstrating to an aerobatics examiner as appointed by a designated ARO, that he or she can fly a linked sequence of spin, loop, stall turn and roll in a safe and controlled manner.

(3) The skills test referred to in subregulation (2)(e) must have been passed within 30 days immediately preceding the date of application.

Application for an Aerobatics Rating (Graduate)

61.33.2 (1) An application for an Aerobatics Rating (Graduate) must be made in the appropriate form set out in Document NAM-CATS-FCL 61 to the Executive Director or to a designated ARO.

(2) The application referred to in subregulation (1) must be accompanied by the skills test report as prescribed in Document NAM-CATS-FCL 61 and the prescribed fee, which may be not more than the fee prescribed in Part 187, if set by an designated ARO.

(3) If the applicant complies with the requirements referred to in regulation 61.33.1, the designated ARO must issue an Aerobatics Rating (Graduate) in the form determined by the Executive Director.

(4) An aerobatics rating is valid for the period of one year from the date of issue, provided the pilot licence of the holder is valid.

(5) The procedure for the revalidation of an aerobatics rating must be in accordance with Document NAM-CATS-FCL 61.

(6) An aerobatics rating, which has not been revalidated in time, may be re-issued after its holder has applied for, and meets the conditions for its initial issue, as prescribed in this Subpart.

Classes of Aerobatics Ratings

61.33.3 (1) The holder of an Aerobatics Rating (Graduate) may apply for any of the following classes of Aerobatics Ratings:

- (a) sportsman;
- (b) intermediate;
- (c) advanced; and
- (d) unlimited.

(2) An aerobatics rating in any of the classes, referred to in subregulation (1), must be issued if the candidate has complied with the appropriate requirements as set out in Document NAM-CATS-FCL 61.

(3) The provisions of regulations 61.33.1 and 61.33.2 apply with changes required by the context to the application for, and the issue of, the ratings referred to in subregulation (1).

Privileges of an Aerobatics Rating

61.33.4 (1) The holder of an aerobatics rating may, within the privileges of his or her pilot licence:

- (a) fly all the manoeuvres, figures and sequences pertaining to the class for which he or she holds the appropriate rating;
- (b) practise all the manoeuvres, figures and sequences pertaining to the class immediately above the one for which he or she holds a rating;
- (c) participate in any aerobatics event, sanctioned by an designated ARO; and
- (d) apply for a display authorisation, as contemplated in Part 91 of these regulations.

(2) The holder of an aerobatics rating may only exercise the privileges in subregulation (1) if he or she is a member in good standing of a designated ARO.

Insertion of Part 62 in the Regulations

8. The following Part is inserted after Part 61 of the Regulations:

“PART 62**RECREATIONAL PILOT LICENSING****SUBPART 1: GENERAL**

- 62.01.1 Applicability
- 62.01.2 Authority to act as pilot of an aircraft in Namibia
- 62.01.3 Recreational pilot licences
- 62.01.4 Ratings for recreational pilots and recreational flight instructors
- 62.01.5 Category ratings
- 62.01.6 Class ratings
- 62.01.7 Type ratings
- 62.01.8 Rating for special purposes
- 62.01.9 Competency
- 62.01.10 Medical fitness
- 62.01.11 Language
- 62.01.12 Logging of flight time
- 62.01.13 Crediting of flight time and theoretical knowledge
- 62.01.14 Recognition and validation of recreational pilot licences and ratings issued by an appropriate authority of a Contracting State
- 62.01.15 Application for, and issuing of, a validation of a foreign recreational pilot licence and ratings
- 62.01.16 Documentation
- 62.01.17 Register of licences
- 62.01.18 Aviation training providers
- 62.01.19 Payment of currency fee
- 62.01.20 Radiotelephony certificates

SUBPART 2: RECREATIONAL STUDENT PILOT CERTIFICATE

- 62.02.1 Requirements for the recreational student pilot certificate
- 62.02.2 Certificate of competency
- 62.02.3 Application for recreational student pilot certificate
- 62.02.4 Period of validity
- 62.02.5 Privileges and limitations of recreational student pilot certificate
- 62.02.6 Crediting of flight time

SUBPART 3: RECREATIONAL STUDENT PILOT LICENCE

- 62.03.1 Requirements for recreational pilot licence
- 62.03.2 Application for recreational pilot licence
- 62.03.3 Period of validity
- 62.03.4 Privileges of the recreational pilot licence
- 62.03.5 Maintenance of competency
- 62.03.6 Requirements for the issue of a category rating
- 62.03.7 Requirements for the issue of an additional class rating
- 62.03.8 Requirements for the issue of an additional type rating
- 62.03.9 Requirements for the issue of a special purpose rating

SUBPART 4: REQUIREMENTS FOR THE ISSUE OF A CATEGORY, CLASS OR TYPE RATING BY NAME FOR CONVENTIONAL MICROLIGHT AEROPLANES

- 62.04.1 General
- 62.04.2 Experience
- 62.04.3 Theoretical knowledge examination
- 62.04.4 Skills test
- 62.04.5 Crediting of flight time and theoretical knowledge
- 62.04.6 Application
- 62.04.7 Period of validity
- 62.04.8 Privileges and limitations of the class rating or type rating for conventional microlight aeroplanes
- 62.04.9 Maintenance of competency

SUBPART 5: REQUIREMENTS FOR THE ISSUE OF A CATEGORY, CLASS OR TYPE RATING BY NAME FOR WEIGHT-SHIFT CONTROLLED MICROLIGHT AEROPLANES

- 62.05.1 General
- 62.05.2 Experience
- 62.05.3 Theoretical knowledge examination
- 62.05.4 Skills test
- 62.05.5 Crediting of flight time and theoretical knowledge
- 62.05.6 Application
- 62.05.7 Period of validity
- 62.05.8 Privileges and limitations of the class rating for weight-shift controlled microlight aeroplanes
- 62.05.9 Maintenance of competency

SUBPART 6: REQUIREMENTS FOR THE ISSUE OF A CATEGORY, CLASS OR TYPE RATING FOR GYROPLANES

- 62.06.1 General
- 62.06.2 Experience
- 62.06.3 Skills test
- 62.06.4 Crediting of flight time
- 62.06.5 Application
- 62.06.6 Period of validity
- 62.06.7 Privileges and limitations
- 62.06.8 Maintenance of competency

SUBPART 7: REQUIREMENTS FOR THE ISSUE OF A CATEGORY, CLASS OR ADD-ON RATING FOR HANG-GLIDERS

- 62.07.1 General
- 62.07.2 Experience
- 62.07.3 Skills test
- 62.07.4 Application for hang-glider class or add-on rating
- 62.07.5 Period of validity
- 62.07.6 Privileges and limitations
- 62.07.7 Maintenance of competency
- 62.07.8 Type ratings

SUBPART 8: REQUIREMENTS FOR THE ISSUE OF A CATEGORY, CLASS OR ADD-ON RATING FOR PARAGLIDERS

- 62.08.1 General
- 62.08.2 Experience
- 62.08.3 Skills test
- 62.08.4 Application for paraglider class or add-on rating
- 62.08.5 Period of validity
- 62.08.6 Privileges and limitations
- 62.08.7 Maintenance of competency

SUBPART 9: REQUIREMENTS FOR THE ISSUE OF A RECREATIONAL FLIGHT INSTRUCTOR RATING

- 62.09.1 General
- 62.09.2 Experience
- 62.09.3 Skills test
- 62.09.4 Application
- 62.09.5 Privileges and limitations
- 62.09.6 Period of validity
- 62.09.7 Renewal
- 62.09.8 Crediting of flight time and theoretical knowledge

SUBPART 10: REQUIREMENTS FOR THE ISSUE OF A TEST PILOT QUALIFICATION

- 62.10.1 General
- 62.10.2 Privileges and limitations

SUBPART 11: REQUIREMENTS FOR THE ISSUE OF A MICROLIGHT AND LIGHT SPORT AEROPLANE TUG AND TOW RATINGS

- 62.11.1 General
- 62.11.2 Experience
- 62.11.3 Training
- 62.11.4 Skills test
- 62.11.5 Hang-gliding tug endorsement
- 62.11.6 Application
- 62.11.7 Privileges and limitations

SUBPART 12: REQUIREMENTS FOR THE ISSUE OF AN AGRICULTURAL PILOT RATING

- 62.12.1 General

SUBPART 13: REQUIREMENTS FOR THE ISSUE OF A HANG-GLIDER AERO-TOW ENDORSEMENT

- 62.13.1 General
- 62.13.2 Experience
- 62.13.3 Application
- 62.13.4 Privileges and limitations
- 62.13.5 Period of validity
- 62.13.6 Maintenance of competency

SUBPART 14: REQUIREMENTS FOR THE ISSUE OF A PART 96 AUTHORISATION

- 62.14.1 Background
- 62.14.2 Requirements for a Part 96 authorisation
- 62.14.3 Experience
- 62.14.4 Skills test
- 62.14.5 Application for a Part 96 authorisation
- 62.14.6 Period of validity
- 62.14.7 Privileges of a Part 96 authorisation
- 62.14.8 Maintenance of competency

SUBPART 15: REQUIREMENTS FOR THE DESIGNATION OF EXAMINERS (DE)

- 62.15.1 Categories of designated examiners
- 62.15.2 Requirements
- 62.15.3 Application
- 62.15.4 Period of validity
- 62.15.5 Re-designation and re-issue
- 62.15.6 Designation, oversight, suspension and revocation
- 62.15.7 Privileges and limitations

SUBPART 16: REQUIREMENTS FOR THE ISSUE OF A CATEGORY, CLASS OR TYPE RATING BY NAME FOR LIGHT SPORT AEROPLANES

- 62.16.1 General
- 62.16.2 Experience
- 62.16.3 Theoretical knowledge examination
- 62.16.4 Skills test
- 62.16.5 Crediting of flight time
- 62.16.6 Additional type ratings by name for light sport aeroplanes
- 62.16.7 Application
- 62.16.8 Period of validity
- 62.16.9 Privileges and limitations
- 62.16.10 Maintenance of competency

SUBPART 1 GENERAL**Applicability**

62.01.1 (1) This Part prescribes the requirements relating to:

- (a) the issuing, renewal and re-issuing of recreational pilot licences and ratings for Namibian recreational pilots, and privileges and limitations of such licences and ratings; and
- (b) the issuing of a validation of foreign recreational pilots licences and ratings, and privileges and limitations of such validations.

(2) A validation of a foreign recreational pilot licence issued in terms of this Part and the privileges relating to such licence may only be used or exercised within Namibia if holder of the licence, privileges or validation is specifically authorised by the appropriate authority to use or exercise such licence or privileges within its airspace.

(3) In this Part any requirements for the issuing, renewal or re-issuing of an aviation document issued in terms of this Part are subject to, and must be read in conjunction with, the applicable requirements of the Act and technical standards relating to aviation documents.

Authority to act as pilot of an aircraft in Namibia

62.01.2 (1) A person may not act as a recreational pilot of an aircraft in Namibia unless such person:

- (a) holds a valid appropriate pilot licence and rating issued by the Executive Director in terms of this Part or Part 61;
- (b) holds a valid pilot licence and rating issued by an appropriate authority and validated by the Executive Director in terms of this Part or Part 61;
- (c) is undergoing instruction under the supervision of a qualified and rated flight instructor; or
- (d) if the aircraft is a Foreign Registered Aircraft:
 - (i) holds a valid pilot licence and rating issued by the State of Registry or an organisation approved by the State of Registry; and
 - (ii) has obtained the permission of the Executive Director in accordance with Parts 91 and 149.

(2) The holder of a pilot licence who intends using a foreign registered aircraft as contemplated in paragraph (d) of subregulation (1) must submit his or her request to use the foreign registered aircraft to the Executive Director at least 14 days in advance of the intended use.

(3) The Executive Director may grant or refuse to grant permission to a pilot to use a foreign registered aircraft as contemplated in paragraph (d) of subregulation (1).

(4) The holder of a recreational pilot licence may not exercise any of the privileges relating to the licence other than the privileges granted by the licence and rating or validation held by the holder.

(5) The holder of a validation of a foreign recreational pilot licence must adhere to all the requirements and limitations prescribed by this Part in respect of the holder of a recreational pilot licence when exercising the privileges of his or her validation as a recreational pilot.

Recreational pilot licences

62.01.3 Recreational pilot licences are:

- (a) a recreational pilot learner's certificate; and
- (b) a recreational pilot licence.

Ratings for recreational pilots and recreational flight instructors

62.01.4 The ratings for recreational pilots and recreational flight instructors are:

- (a) a category rating;
- (b) a class rating;
- (c) a type rating by name; and
- (d) a rating for special purposes.

Category ratings

62.01.5 The category ratings for recreational pilot licences comprise of:

- (a) conventional microlight aeroplanes;
- (b) weight-shift controlled microlight aeroplanes;
- (c) gyroplanes and gyrogliders with a maximum all-up mass of 2 000 kg or less;
- (d) hang-gliders, including powered hang-gliders;
- (e) paragliders, including powered paragliders and powered paratrikes; and
- (f) light sport aeroplanes with a maximum all-up mass of 600 kg or less.

Class ratings

62.01.6 The class ratings in respect of recreational pilot licences comprise:

- (a) in the case of conventional microlight aeroplanes:
 - (i) conventional microlight aeroplanes, land; and
 - (ii) conventional microlight aeroplanes, amphibian and sea;

- (b) in the case of weight-shift controlled microlight aeroplanes:
 - (i) a single weight-shift controlled microlight aeroplane, land; and
 - (ii) a single weight-shift controlled microlight aeroplane, amphibian and sea;
- (c) in the case of hang-gliders:
 - (i) novice;
 - (ii) Class A;
 - (iii) Class B; and
 - (iv) Class C,
- (d) in the case of paragliders, powered paragliders and powered paratrikes:
 - (i) basic; and
 - (ii) sport;
- (e) in the case of gyroplanes:
 - (i) gyroplanes, land;
 - (ii) gyroplanes, amphibian and sea; and
 - (iii) gyrogliders; and
- (f) in the case of light sport aeroplanes:
 - (i) light sport aeroplanes, land; and
 - (ii) light sport aeroplanes, amphibian and sea.

Type ratings

62.01.7 (1) The type ratings in respect of a recreational pilot licence for conventional microlight aeroplanes comprise type ratings for each type of conventional microlight aeroplane.

(2) Type ratings in respect of recreation pilot licence for hang-gliders and paragliders comprise:

- (a) Type 1, a hang-glider having a rigid primary structure with pilot weight-shift as the method of primary control;
- (b) Type 2, a hang-glider having a rigid primary structure with moveable aerodynamic surfaces as the method of control in at least two axis;
- (c) Type 3, a hang-glider having no rigid primary structure, a paraglider;
- (d) Type 4, a hang-glider unable to demonstrate the ability to safely take-off or land in no-wind conditions but that is capable of being launched and landed safely by the use of the pilot's legs;

- (e) Type 5, a hang-glider or a paraglider capable of being foot-launched, and being flown with an engine; a powered hang-glider or powered paraglider;
- (f) Type 6, a powered paraglider fitted with a wheeled undercarriage and steerable nose wheel(s); and
- (g) Type 7, a powered hang-glider fitted with a three-wheel undercarriage and steerable nose wheel, of which the wing must be a certified hang-gliding wing.

(3) In respect of recreational pilot licences, type ratings for gyroplanes and gyrogliders comprise a rating for each type of gyroplane or gyroglider.

(4) In respect of recreational pilot licences, the type ratings for weight-shift microlight aeroplanes comprise a type rating for each weight-shift microlight.

(5) In respect of recreational pilot licences, the type ratings for light sport aeroplanes comprise a type rating for each light sport aeroplane.

Rating for special purposes

62.01.8 (1) The ratings for special purposes in respect of the appropriate licence comprise:

- (a) a tandem rating;
 - (b) a recreational flight instructor rating;
 - (c) a tug and tow rating for conventional, weight-shift controlled microlight and light sport aeroplanes;
 - (d) test pilot qualification;
 - (e) an agricultural pilot rating; and
 - (f) a Part 96 authorisation.
- (2) Recreational flight instructor ratings comprise:
- (a) in the category microlight aeroplanes (conventional or weight-shift controlled):
 - (i) a Grade C recreational flight instructor rating (conventional/weight-shift controlled microlight aeroplane);
 - (ii) a Grade B recreational flight instructor rating (conventional/weight-shift controlled microlight aeroplane); and
 - (iii) a Grade A recreational flight instructor rating (conventional/weight-shift controlled microlight aeroplane);
 - (b) in the category gyroplanes:
 - (i) a Grade C recreational flight instructor rating (gyroplane);
 - (ii) a Grade B recreational flight instructor rating (gyroplane); and
 - (iii) a Grade A recreational flight instructor rating (gyroplane);

- (c) in the categories hang-gliders and paragliders category:
 - (i) a recreational assistant flight instructor rating (hang-gliding paragliding);
 - (ii) a Grade C recreational flight instructor rating (hang-gliding paragliding);
 - (iii) a Grade B recreational flight instructor rating (hang-gliding paragliding);
 - (iv) a Grade A recreational flight instructor rating (hang-gliding paragliding); and
- (d) in the category light sport aeroplanes:
 - (i) a Grade C recreational flight instructor rating (light sport aeroplane);
 - (ii) a Grade B recreational flight instructor rating (light sport aeroplane); and
 - (iii) a Grade A recreational flight instructor rating (light sport aeroplane).

Competency

62.01.9 (1) It is a condition of every recreational pilot licence or rating that the holder of the licence:

- (a) may not exercise the privileges granted by the licence or rating unless such holder maintains competency by complying with the appropriate requirements prescribed in the Regulations; and
- (b) complies with the requirement set out in section 68(4) of the Act.

(2) The holder of a recreational pilot licence must undergo a general proficiency check not later than 24 months since the issue of the licence or a previous proficiency check, as the case may be, and:

- (a) in the case of hang-gliders and paragliders, the annual revalidation of the category rating is sufficient to confirm proficiency; and
- (b) the proficiency check or the annual revalidation procedure, as the case may be, must include a review of applicable regulations, NOTAMs and AICs.

(3) The proficiency check referred to in subregulation (2) may be conducted by a recreational flight instructor who is the holder of the appropriate category, class or type rating.

(4) If the holder of a recreational pilot licence in a particular category has not maintained competency by passing the general proficiency check or an initial skills test in the same category of aircraft within the 24 months following the issue or revalidation of such licence, he or she must comply with the following requirements:

- (a) in the case where the maintenance of competency has lapsed for less than 24 months he or she must in the same category for which he or she previously held a category endorsement:
 - (i) undergo a minimum of two periods of dual training of not less than one hour;

- (ii) practice at least one hour solo flight including 3 take-offs and landings; and
 - (iii) pass a general proficiency check;
- (b) in the case where the maintenance of competency has lapsed by more than 24 months, but less than 60 months, he or she must:
 - (i) rewrite the air law examination;
 - (ii) undergo a minimum of two periods of dual training of not less than one hour;
 - (iii) practice a minimum of three hours solo flight including 3 take-offs and landings; and
 - (iv) pass a general proficiency check; and
- (c) in the case where the maintenance of competency has lapsed by more than 60 months he or she must:
 - (i) rewrite the air law examination;
 - (ii) undergo a minimum of three periods of dual training of not less than 1 hour each;
 - (iii) practice a minimum of five hours solo flight including five take-offs and landings;
 - (iv) undergo a navigation exercise dual or under supervision of 90 minutes or more including one full stop landing at a point other than departure or final destination, and
 - (v) pass a general proficiency check, including a general confirmation of knowledge on all theoretical subjects.

(5) The proficiency check referred to in subregulation (2) must consist of a skills test without the need for a cross country flight test as defined in Document NAM-CATS-FCL 62, to be conducted in an aircraft of the category for which the holder of a recreational pilot licence holder is licensed: Provided that in the case of hang-gliders and paragliders the skills test is not a requirement unless the pilot has not met the annually required number of flights or hours.

(6) The person conducting the proficiency check referred to in subregulation (5) must enter the outcome of the proficiency check in the pilot's logbook and sign it accordingly and submit the relevant test report to the Executive Director or to the designated organisation, as the case may be.

(7) The test report, referred to in subregulation (6), must be countersigned by the pilot, and the pilot concerned must be provided with a copy of the report.

- (8) If a pilot fails a proficiency check referred to subregulation (2):
 - (a) the pilot must undergo corrective training with a flight instructor, other than the person who conducted the failed proficiency check, before submitting himself or herself for a retest; and

- (b) no re-test may be conducted without a letter of recommendation by the flight instructor referred to in paragraph (a).
- (9) The holder of a recreational pilot licence must pay annually the applicable currency fee as prescribed in regulation 62.01.19 and in Part 187 on the anniversary date of his or her licence.
- (10) The fee referred to in subregulation (9) must be paid to the Authority or to the designated organisation, as the case may, and must be accompanied by a summary of the recreational pilot licence holder's logbook for the previous 12 months;
- (11) The summary referred to in subregulation (10) must be in the form set out in Document NAM-CATS-FCL 62 and be signed, certifying it to be a true reflection of the recreational pilot's licence flying experience during the period summarised.
- (12) Despite subregulation (11), it is not necessary for the summary referred to in that subregulation to accompany the currency fee if during the preceding 12 months a six-monthly or annual summary was submitted as part of an application for the issue, renewal or re-issue of a rating.
- (13) Without prejudice to the general powers of the Executive Director contained in sections 42, 43 and 44 of the Act to suspend or revoke or to impose conditions upon aviation documents:
- (a) if, the Executive Director or the designated organisation, as the case may be, suspects that a person licensed in terms of this Part, has failed to maintain the minimum standard required to exercise the privileges of the recreational pilot licence or any of the ratings that he or she holds, the Executive Director or the organisation may, after having afforded the licensee an opportunity to respond, give in writing the licensee reasonable notice of such suspension; and
- (b) the Executive Director or the designated organisation may require the person referred to in paragraph (a) to undergo, by a date specified by the Executive Director or the designated organisation, the skills test or all or some of theoretical knowledge examinations prescribed in this Part in respect of such licence or rating.
- (14) If the tests or examinations, referred in subregulation (13), show that the standard of the licence or rating holder is below that required for the licence or rating concerned, the Executive Director or the designated organisation, as the case may be, must suspend the holder from exercising all or any of the privileges of that licence or rating until such time as the holder can show that he or she is again able to meet the skills or theoretical knowledge requirements for that licence or rating.
- (15) If the person, who has been duly notified in terms of subregulation (14), fails without reasonable cause to present himself or herself by the specified date to undergo the prescribed test or examination, his or her standard is deemed to be below that required for the license or rating concerned.

Medical fitness

62.01.10 (1) An applicant for, or holder of, a recreational pilot licence must hold an appropriate valid medical certificate issued in terms of Part 67 of these regulations and must have a copy the certificate submitted to the Executive Director or the designated organisation.

(2) Despite the provisions of subregulation (1), where a recreational pilot licence is to be endorsed only for the category hang-glider or paraglider, its holder must complete and submit a medical fitness certificate set out in Document NAM-CATS-FCL 62.

(3) The medical fitness certificate referred to in subregulation (2) may not be older than three months when submitted.

(4) The medical fitness certificate referred to in subregulation (2) must be submitted annually together with the annual currency fee as prescribed in regulation Part 187.

(5) The provisions of subregulation (2), (3) and (4) do not apply if the applicant for a licence in terms of this Part or the licence holder is the holder of any valid medical certificate issued in terms of Part 67.

(6) The holder of a recreational pilot licence issued in terms of this Part may not exercise the privileges of that licence, unless that holder:

- (a) holds an appropriate valid medical certificate or medical fitness certificate, as the case may be;
- (b) complies with all medical endorsements on that medical certificate or medical fitness certificate;
- (c) complies with the requirement set out in section 68(4) of the Act; and
- (d) being aware that he or she has a medical condition that would render him or her unfit, undergoes a medical assessment to declare him or her medically fit to continue exercising the privileges of the licence.

Language

62.01.11 The applicant who has applied for a recreational pilot licence, to be issued under this Part, must have demonstrated his or her ability to use the English language set out in Document NAM-CATS-FCL 62.

Logging of flight time

62.01.12 (1) The holder of a recreational pilot licence:

- (a) must maintain a record of all his or her flight time and instruction time;
- (b) may keep electronic logbooks: Provided that the electronic data is printed onto paper at least every 90 days and the printed pages are filed sequentially in a binder;
- (c) must keep the form and information to be contained in the logbook, as set out in Document NAM-CATS-FCL 62;
- (d) must make entries in pilot logbook within seven days after the completion of the flight to be recorded, and
- (e) must ensure that the logbook summaries are verified and signed off by the person responsible for training or for operations.

(2) If the holder of the recreational pilot licence is engaged in flight operations away from the base where the pilot logbook is kept normally, the period specified subregulation (1)(b) may be extended to 48 hours after return to base.

(3) The holder of the Recreational Pilot Licence must retain logbooks for at least 60 months from the date of the last flight recorded in it.

(4) Flight time during which the holder of a recreational pilot licence is:

(a) receiving dual instruction must be logged as dual flight time, and must include a record of the air exercises undertaken; and

(b) the designated pilot-in-command, must be logged as pilot-in-command time.

(5) The holder of a recreational learner's certificate may log as solo flight time only the flight time when the learner is the sole occupant of the aircraft.

(6) A recreational flight instructor must log the time spent in an aircraft occupying a pilot seat with access to the controls, whilst acting as a flight instructor, as flight instructor time, and may log all flight time whilst acting as such as pilot-in-command time.

(7) A recreational flight instructor, acting as an examiner while occupying a pilot seat with access to the flight controls, may log all flight time whilst acting as such as pilot-in-command, and must make the entry "EXAMINER" in the remarks column and such time must not be logged as flight instructor time.

Crediting of flight time and theoretical knowledge

62.01.13 (1) Flight time, entered in a logbook that has been lost or destroyed, may only be accepted for crediting purposes by the Executive Director or the designated organisation, as the case may be, if the flight time can be substantiated by means acceptable to the Executive Director or the designated organisation.

(2) A person acting as pilot of an aircraft for which he or she does not hold the prescribed qualifications may not credit that flight time for any purpose, unless he or she is under a flight instruction approved by the flight instructor.

(3) An applicant for a recreational pilot licence or any rating relating to such licence may be credited with any previously acquired flight time in any category of aircraft to the extent recommended by the flight instructor, signing out the skills test report prescribed for the issue of the licence or rating, to the Executive Director or the designated organisation, as the case may be.

(4) An applicant for a recreational pilot licence or any rating related to it who is or who during the five years immediately preceding the application has been the holder of a pilot licence issued in terms of Part 61 or issued by the Namibian Air Force may be credited with flight hours for any cross-country requirement prescribed in this Part, if any, at the discretion of the flight instructor signing out the skills test report prescribed for the issue of the licence or rating and this discretion must be exercised lawfully.

(5) If the holder of a recreational pilot licence applies for an additional category, class or type rating, he or she may be credited with any theoretical knowledge previously acquired in obtaining the licence or any rating, provided that such theoretical knowledge meets or exceeds the standard of theoretical knowledge of the category being applied for, and at the discretion of the Executive Director or the designated organisation, as the case may be, and this discretion must be exercised lawfully.

Recognition and validation of recreational pilot licences and ratings issued by an appropriate authority of a Constructing State

62.01.14 (1) The Executive Director or the designated organisation, as the case may be, may recognise through validation foreign recreational pilot licences and ratings issued by or on behalf of an appropriate authority, if the standard of such foreign licences or ratings is deemed by the Executive Director, having regard to Document NAM-CATS-FCL 62 or such other information as may be appropriate, to be equivalent to, or higher than, the Namibian qualification being sought, and on the basis of competence by the holder.

(2) Document NAM-CATS-FCL 62 contains a list of ICAO member states of which the licences and ratings issued by or on behalf of the appropriate authority of that State are deemed to be of a standard equal to, or higher than, those issued by or on behalf of the Authority.

(3) For paragliding and hang-gliding, a designated Aviation Recreation Organization (ARO) must validate national pilot licences or certificates issued by an appropriate authority.

(4) Validation of foreign recreational pilot licences in terms of this regulation, apply for flights in Namibian aircraft, where such privileges are required for a limited period, not to exceed one year.

(5) Purposes for which a validation may be issued include:

- (a) to exercise the privileges of a recreational pilot licence in a Namibian registered aircraft;
- (b) to conduct demonstration flights in a Namibian registered aircraft;
- (c) to conduct endorsement training of Namibian flight crew; or
- (d) to participate in sporting or competition events, organised by or under the auspices of sections of the designated ARO.

(6) If the privileges of the validated foreign recreational pilot licence are to be exercised in commercial air transport operations, the requirements of Part 96 must be complied with.

(7) The Executive Director or the designated organisation, as the case may be, may, if he or she or it considers it necessary, require an applicant for a validation to undergo additional theoretical or practical assessments to ensure compatibility with the relevant Namibian licensing standards.

Application for, and issuing of, a validation of a foreign recreational pilot licence and ratings

62.01.15 (1) The holder of a foreign recreational pilot licence or equivalent or higher pilot licence or rating, who wishes to exercise the privileges of such licence or rating as a recreational pilot of a Namibian registered aircraft, may apply to the Executive Director or the designated organisation, as the case may be, in the appropriate form set out in Document NAM-CATS-FLC 62, for a validation of such pilot licence or rating.

(2) No validation may be considered by the Executive Director or a designated organisation if the applicant has:

- (a) been refused a Namibian pilot licence or validation before the commencement of this regulation; or

- (b) had a Namibian pilot licence or validation revoked before the commencement of this regulation for reasons other than failing a skill test, a proficiency test or a theoretical knowledge test.

(3) If, in the opinion of the Executive Director or the designated organisation, the requirements for the issue of a pilot licence by a particular Contracting State are lower than those set by Namibia, the Executive Director or the designated organisation may direct that the applicant meets the higher requirement before granting a validation.

(4) A pilot licence and rating issued by or on behalf of an appropriate authority may be validated by the Executive Director or the designated organisation:

- (a) subject to the same restrictions which apply to such pilot licence and rating;
- (b) subject to such conditions and limitations as the Executive Director or the designated organisation may deem necessary in the interest of aviation safety;
- (c) in accordance with and subject to the requirements and conditions set out in Document NAM-CATS-FCL 62; and
- (d) in the appropriate form as determined by the Executive Director, provided that such validation may not give rise to the grant of privileges in excess of those granted by the equivalent Namibian recreational pilot licence or rating.

(5) The application for a validation referred to in subregulation (1) must be accompanied by:

- (a) the appropriate fee as prescribed in Part 187;
- (b) an original or certified copy of the pilot licence and rating to which the validation refers;
- (c) an original or certified copy of a valid medical certificate or valid medical fitness certificate;
- (d) an original or certified copy of the radiotelephony certificate, if applicable, or, in the case where the appropriate authority does not have requirements for such certificate for its licence holders, acceptable certified evidence that the applicant has passed a practical skill test with an approved radio licence examiner;
- (e) evidence of English proficiency at Level 4 of the ICAO Rating Scale;
- (f) a summary of the applicant's logbook, certified by the applicant to be a true reflection of the hours flown; and
- (g) any other document that may set out in Document NAM-CATS-FCL 62.

(6) The minimum knowledge, experience and skill requirements for the issue of a validation for the various pilot licences and ratings are set out in Document NAM-CATS-FCL 62 for the Namibian recreational pilot licence and associated ratings.

(7) Where a proficiency check or skills test is required, such check or test must be undertaken in an aircraft of the class or type appropriate to the recreational pilot licence category for which a certificate of validation is sought.

(8) The holder of a validation issued by the Executive Director or the designated organisation in terms of this regulation must comply with all the applicable provisions prescribed in the Regulations.

(9) None of the privileges of an additional rating as a recreational pilot may be exercised in terms of the validation before the licence issuing authority has endorsed such privileges on the applicant's foreign pilot's licence.

(10) The period of validity of a certificate of validation issued by the Executive Director or the designated organisation must be the lesser of:

- (a) twelve months calculated from the date of issue of such Certificate of Validation by the Executive Director or the designated organisation; or
- (b) the period of validity of the pilot licence and rating to which the validation applies;

(11) In exceptional cases, such as demonstration flights or instruction on new aircraft to be registered in Namibia, the Executive Director or the designated organisation may consider the validation of a foreign recreational pilot licence to meet short-term operational requirements of the licence holder by exempting the applicant from all or some of the requirements of this Part, in accordance with Part 3 of the Regulations.

Documentation

62.01.16 The Executive Director or the designated organisation, as the case may be, must ensure that a recreational pilot licence and rating is issued in such a manner that the validity of it may readily be determined by any appropriate authority.

Register of licences

62.01.17 (1) The Executive Director or the designated organisation as the case may be, must maintain within the Civil Aviation Registry a register of all recreational pilot licences and ratings issued or validated in terms of this Part.

- (2) The register referred to in subregulation (1) must contain the following particulars:
 - (a) the full name of the holder of the licence;
 - (b) date of birth of the holder of the licence;
 - (c) the postal and residential address of the holder of the licence;
 - (d) the number of the licence;
 - (e) the date on which the licence was issued or validated;
 - (f) particulars of the ratings held by the holder of the licence;
 - (g) the nationality of the holder of the licence; and
 - (h) in the case of a validation, the authority that issued the validated licence or rating.

(3) The Executive Director must record or ensure the recording of particulars referred to in subregulation (2) in the register referred to in subregulation (1) within seven days from the date on which the licence or rating is issued or validated.

(4) The Executive Director must provide access to the particulars referred to in subregulation (2) in accordance with the provisions of section 52 of the Act.

Aviation training providers

62.01.18 Any *ab initio* training required by this Part may be provided only by the holder of an approved ATO approval.

Payment of currency fee

62.01.19 (1) The holder of a recreational pilot licence must pay the currency fee as prescribed in Part 187, applicable to the type of licence, on the anniversary date of the licence to either the Authority or to the designated organisation, as the case may be.

(2) Where applicable, the payment of a currency fee must be accompanied by the summary as prescribed by subregulation (10) of regulation 62.01.9 and when applicable, by acceptable evidence of compliance to the relevant licence or rating revalidation requirements prescribed in 62.01.9 or 62.03.5 or in both regulations and in the relevant Subpart applicable to the type rating held.

Radiotelephony certificates

62.01.20 (1) The requirement for holders of a recreational pilot licence to be also the holder of a radiotelephony certificate is regulated by the Communications Act, 2009 (Act No. 8 of 2009).

(2) The requirements for the issue of radiotelephony certificate referred to in subregulation (1) are set out in Document NAM-CATS-FCL 62.

SUBPART 2: RECREATIONAL STUDENT PILOT CERTIFICATE

Requirements for the recreational student pilot certificate

62.02.1 (1) An applicant for the issuing of a recreational student pilot certificate must:

- (a) be 16 years of age or older, except where subregulation (2) applies;
- (b) hold a valid medical certificate issued in terms of Part 67; or
- (c) in the case of hang-gliding or paragliding, hold a medical fitness certificate, dated not less than three months before the date of application;
- (d) have successfully completed the training set out in Document NAM-CATS-FCL 62; and
- (e) have passed the theoretical knowledge examination set out in Document NAM-CATS-FCL 62, within the 90 days immediately preceding the date of application.

(2) Despite the provisions of subregulation (1), an applicant for the issuing of a recreational student pilot's certificate in the category paraglider must be 14 years of age or older.

Certificate of competency

62.02.2 (1) If the recreational student pilot, in terms of these regulations, is required to operate radio apparatus while flying solo, a recreational student pilot certificate must be issued to the student pilot who is not in the possession of a radiotelephony certificate of competency: Provided that the student pilot has undergone basic training in the use of the radio apparatus installed in the aircraft and the flight instructor releasing him or her for solo issues to him or her a certificate of competency on the basis that he or she has assessed him or her as competent in operating the radio apparatus during:

- (a) the circuit area of the aerodrome or approved site where the training flights originate and terminate;
- (b) the associated general flying area of such aerodrome or approved site, or
- (c) cross-country flights.

(2) The certificate of competency referred to in (1) must contain a statement that:

- (a) the student pilot has undergone basic training in the use of the radio apparatus installed in the aircraft in which he or she is being trained; and
- (b) the student pilot is considered capable of operating such radio apparatus satisfactorily to undertake solo flights in the conditions listed under subregulation (1)(a), (b) and (c).

(3) The basic training and knowledge requirements referred to in this regulation must be based on the communication syllabus set out in NAM-CATS-FCL 62.

(4) The certificate of competency referred to in subregulation (2) is valid for three months for a recreational licence holder requiring a radiotelephony licence or in the case of hang gliders and paragliders, as long as the recreational student pilot certificate is valid.

Application for recreational student pilot certificate

62.02.3 (1) An application for the issuing of a recreational student pilot's certificate in a category, other than hang-glider or paraglider, must:

- (a) be made to the Executive Director or the designated organisation, as the case may be, in the appropriate form set out in Document NAM-CATS-FCL 62; and
- (b) be accompanied by:
 - (i) original or acceptable certified evidence of:
 - (ab) the identity of the applicant; and
 - (bb) a document indicating the age of the applicant;
 - (ii) a valid medical certificate issued in terms of Part 67;
 - (iii) if applicable, the valid restricted or higher grade radiotelephony operator's certificate or the certificate of competency referred to in regulation 62.02.2;
 - (iv) original or acceptable certified evidence that the applicant has passed the theoretical knowledge examination referred to in regulation 62.02.2;

- (v) an application for the appropriate category and type rating;
- (vi) two recent passport size photographs of the applicant; and
- (vii) the appropriate fee prescribed in 187.

(2) The Executive Director or the designated organisation, as the case may be, must issue a recreational student pilot's certificate to the applicant if the applicant complies with the requirements referred to in regulation 62.02.1.

(3) The Executive Director or the designated organisation must issue the recreational student pilot's certificate in the form determined by the Executive Director.

(4) Upon the issuing of a recreational student pilot's certificate, the holder of the certificate must immediately affix his or her signature in ink in the space provided for that purpose on the certificate.

Period of validity

62.02.4 (1) A recreational student pilot certificate is valid:

- (a) for the period the holder's medical certificate issued in accordance with Part 67 is valid; and
- (b) in the case of a student pilot certificate issued in the categories of hang-gliding or paragliding, the validity of the student pilot's certificate depends on the medical certificate issued for that certificate in accordance with Part 67.

Privileges and limitations of recreational student pilot certificate

62.02.5 (1) The holder of a valid recreational student pilot certificate is entitled to fly solo only for the purpose of training for the applicable recreational pilot licence or rating:

- (a) in the type of aircraft in which he or she is undergoing training;
- (b) after being authorised and while under supervision, as prescribed in subregulation (2);
- (c) without carrying any passengers; and
- (d) in VMC by day.

(2) The holder of a valid recreational student pilot certificate may not fly solo unless authority is granted by the relevant flight instructor for the flight, or for a sequence of flights, as prescribed in the relevant practical training course syllabus, by the holder of a flight instructor rating who is to supervise the solo flight.

(3) The authority referred to in subregulation (2) must be in writing and be issued in the presence of the holder of a valid recreational student pilot certificate at the time when such flight or sequence of flights is about to commence.

(4) The holder of a valid recreational student pilot certificate may not fly solo in the circuit unless he or she has successfully completed the practical training and theoretical knowledge examinations as prescribed, and his or her logbook has been endorsed to fly solo in the circuit by the instructor authorized to release him or her for the solo flight.

(5) The holder of a valid recreational student pilot certificate may not fly solo outside of the circuit or in the general flying area unless he or she has successfully completed the practical training and theoretical knowledge examinations as prescribed in subregulation (4) and his or her logbook has been endorsed to do so by the instructor authorised to release him/her for the solo flight.

(6) A holder of a valid recreational student pilot certificate may not fly solo on a cross-country flight unless he or she has successfully completed the practical training and theoretical knowledge examinations as prescribed in subregulation (4) and (5) and his or her logbook has been endorsed to do so by the instructor authorized to release him or her for the solo flight.

(7) Except in an emergency, the holder of a valid recreational student pilot certificate may not take-off from and land on an area other than an aerodrome or a site approved in terms the Regulations.

(8) If a holder of a valid recreational student pilot certificate does execute an emergency landing on an area other than an aerodrome or an approved site, only the holder of a recreational pilot licence with the appropriate category and class rating, or another pilot approved for the purpose by the Executive Director or the designated organisation, may fly the aircraft from the area.

(9) In the case of the holder of a recreational student pilot certificate in the category hang-glider, powered hang-glider, paraglider or powered paraglider, the provisions of subregulation (2) apply.

Crediting of flight time

62.02.6 A holder of a valid recreational student pilot certificate is entitled to be credited in full with all solo and dual instruction time towards the total flight time requirement for the initial issue of a recreational pilot licence in the category in which he or she is undergoing instruction.

SUBPART 3: RECREATIONAL PILOT LICENCE

Requirements for recreational pilot licence

62.03.1 (1) An applicant for the issuing of a recreational pilot licence must:

- (a) be 17 years of age or older;
- (b) either hold a valid Class 2 or higher class medical certificate issued in terms of Part 67, or in the case of an application in the category hang-glider or paraglider a valid medical fitness certificate;
- (c) hold a valid recreational student pilot certificate or a valid pilot licence issued in terms of Part 61; and
- (d) qualify for the issue of at least one of the category ratings, referred to in regulation 62.01.5.

(2) Despite the provisions of paragraph (a) of subregulation (1), an applicant for the issuing of a recreational pilot license in the category paraglider, hang-glider, powered paraglider and powered paratrike must be 16 years of age or older.

Application for recreational pilot licence

62.03.2 (1) An application for the issuing of a recreational pilot licence must:

- (a) be made to the Executive Director or to the designated organisation as the case may be, on the appropriate form set out in Document NAM-CATS-FCL 62; and
- (b) be accompanied by:
 - (i) either a valid Class 2 or higher class medical certificate, issued in terms of Part 67, or in the case of an application in the category hang-glider or paraglider a valid medical fitness certificate;
 - (ii) a valid pilot licence reference number;
 - (iii) original or acceptable certified evidence that the applicant meets the requirements for the issue of at least one of the category ratings, referred to in regulation 62.01.5;
 - (iv) one passport-sized photograph;
 - (v) the appropriate fee as prescribed in terms of Part 187, as the case may be, provided that any fee set by the designated organisation may not exceed those prescribed in Part 187; and
 - (vi) a copy of the applicant's logbook showing all training, and accurately summarised as set out in Document NAM-CATS-FCL 62.

(2) The Executive Director or the designated organisation, as the case may be, must issue a recreational pilot licence if the applicant complies with the requirements referred to in regulation 62.03.1.

(3) A recreational pilot licence must be issued in the form determined by the Executive Director.

Period of validity

62.03.3 (1) A recreational pilot licence is valid for an indefinite period unless revoked or suspended in terms of the Act;

(2) The privileges of the recreational pilot licence may not be exercised by licence holder unless he or she:

- (a) either holds a valid Class 2 or higher class medical certificate issued in terms of Part 67, or in the case of a licence endorsed for the category hang-glider or paraglider only, a valid medical fitness certificate;
- (b) complies with the provisions of regulation 62.03.6; and
- (c) holds an appropriate valid category, class or type rating.

Privileges of the recreational pilot licence

62.03.4 (1) The holder of a recreational pilot licence is entitled to act as pilot-in-command of a non-type certificated aircraft for which he or she holds the appropriate valid category, class or type rating and which is not engaged in the provision of an air service or carriage for reward or remuneration but is engaged in a flight carried out:

- (a) under VMC;
- (b) by day; and
- (c) in accordance with the provisions of Part 94.

(2) The holder of a recreational pilot licence is entitled to exercise the privileges of the licence for any of the special purposes referred to in regulation 62.01.8.

(3) Despite the provisions of subregulation (1):

- (a) the holder of a recreational pilot licence may exercise the privileges of his or her licence for reward or remuneration in an aircraft operated in terms of Part 96, provided he or she is the holder of a valid Part 96 authorisation issued in terms of Subpart 14 of this Part; and
- (b) the holder of a valid recreational flight instructor rating may conduct flight training for remuneration under the control of an approved ATO.

Maintenance of competency

62.03.5 The holder of a recreational pilot licence may not act as pilot-in-command of a non-type certificated aircraft, unless he or she:

- (a) meets the maintenance of competency requirements prescribed in this Part for the type of aircraft for which he or she holds a valid category, class or type rating; and
- (b) has passed a written examination on the subject of air law if he or she has not exercised the privileges of any pilot licence for a period in excess of 60 months.

Requirements for the issue of a category rating

62.03.6 (1) For the applicant for, or the holder of a recreational pilot licence to be issued with a first or an additional category rating, he or she must meet the requirements for the issue of a class or type rating in that particular category.

(2) If a category rating is issued as referred in subregulation (1), a class or type rating in that category is automatically included.

Requirements for the issue of an additional class rating

62.03.7 For the holder of a recreational pilot licence to be issued with an additional class rating, he or she must meet the relevant requirements as prescribed in this Part for that particular category and class of aircraft.

Requirements for the issue of an additional type rating

62.03.8 For the holder of a recreational pilot licence to be issued with an additional type rating, he or she must meet the requirements for the issue of the particular type rating.

Requirements for the issue of a special purpose rating

62.03.9 For the holder of a recreational pilot licence to be issued with a special purpose rating, he or she must meet the requirements for the issue of the particular special purpose rating.

SUBPART 4: REQUIREMENTS FOR THE ISSUE OF A CATEGORY, CLASS OR TYPE RATING BY NAME FOR CONVENTIONAL MICROLIGHT AEROPLANES**General**

62.04.1 For an applicant for, or the holder of, a recreational pilot licence to be issued with an initial type rating by name for conventional microlight aeroplanes, he or she must:

- (a) hold at least a valid restricted certificate of proficiency in radiotelephony (aeronautical);
- (b) have acquired the experience referred to in regulation 62.04.2;
- (c) have successfully completed the training set out in Document NAM-CATS-FCL 62;
- (d) have passed the theoretical knowledge examination referred to in regulation 62.04.3; and
- (e) have successfully passed the skill test referred to in regulation 62.04.4.

Experience

62.04.2 (1) An applicant for the issuing of an initial type rating for conventional microlight aeroplanes must have completed not less than 25 hours flight time as a pilot of a conventional microlight aeroplane, of which at least 15 hours must be solo flight time, and which must include:

- (a) one dual cross-country flight and one solo cross-country flight, each of a duration of not less than 90 minutes flown at normal cruising speed consisting of 3 legs; and
- (b) one dual cross-country flight of a duration of not less than 90 minutes flown at normal cruising speed consisting of three legs and which includes a full stop landing at a point other than the point of departure.

(2) Despite the provisions of subregulation (1), in the case of an applicant who is the holder of a category, class or type rating for weight-shift controlled microlight aeroplanes or light sport aeroplanes, the hours already gained in these categories may be credited toward the hour requirements and the cross-country requirements at the discretion of the flight instructor which discretion must be exercised lawfully.

(3) In the case of a holder of a category, class or type rating for weight-shift controlled microlight aeroplanes, a minimum of 10 hours dual must be flown on type and five solo take-offs and landings must be conducted on type.

(4) In the case of an additional type rating for conventional microlight aeroplanes, not less than five hours dual and five solo take-offs and landings must be conducted on type.

(5) An applicant for the issuing of a class rating for conventional microlight aeroplanes must have completed not less than 500 hours flight time as a pilot of a conventional microlight aeroplane, and hold at least five type ratings for conventional microlight aeroplanes.

Theoretical knowledge examination

62.04.3 (1) An applicant for the issuing of a type rating by name for conventional microlight aeroplanes must have passed the appropriate written examination set out in Document NAM-CATS-FCL 62.

(2) Despite the provisions of subregulation (1), in the case of an applicant who holds a pilot licence issued in terms of Part 61, or the holder of a class or type rating for weight-shift controlled microlight aeroplanes, light sport aeroplanes or gyroplanes, the applicant may be given credit for any theory at the discretion of the person accountable for training in the approved ATO, and this discretion must be exercised lawfully.

(3) Despite the provisions of subregulation (2), the theoretical knowledge examination, “Principles of Flight” for conventional microlight aeroplanes must be written by both weight-shift controlled microlight pilots and gyroplane pilots seeking endorsement for a conventional microlight aeroplane.

Skills test

62.04.4 (1) An applicant for the issuing of an initial type rating by name for conventional microlight aeroplanes must have demonstrated:

- (a) to the holder of a Grade B or Grade A conventional microlight aeroplane flight instructor rating; or
- (b) a flight instructor appropriately rated in terms of Part 61, the ability to perform, as pilot-in-command of a conventional microlight aeroplane, the procedures and manoeuvres set out in Document NAM-CATS-FCL 62, with a degree of competency appropriate to the privileges granted to the holder of a recreational pilot licence.

(2) An applicant for the issue of an additional type rating by name for conventional microlight aeroplanes must:

- (a) undergo a skills test with a Grade C, B or A-instructor with the appropriate type or class rating in which a high standard of vital action drill is required;
- (b) with the examiner at the dual controls, or under direct supervision in the case of a single-seater aeroplane, perform at least three take-offs and three landings and any other exercise considered necessary; and
- (c) pass the technical examinations set out in Document NAM-CATS-FCL 62.

(3) The applicant referred to in subregulation (1) must undergo the skills test referred to in that subregulation within the 12 months of passing the theoretical knowledge examination referred to in regulation 62.04.3 and within the 60 days immediately preceding the date of application.

(4) The applicant referred to in subregulation (1) must undergo the skills test referred to in subregulation (2) within the 60 days immediately preceding the date of application.

Crediting of flight time and theoretical knowledge

62.04.5 The holder of an aeroplane pilot licence issued in terms of Part 61 or in terms of this Part, endorsed with:

- (a) the category weight-shift controlled microlight aeroplane may be credited with not more than 15 hours flight time acquired in a weight-shift microlight aeroplane, and the additional 10 hours required for the licence referred to in subregulation (1) applied for must consist of:
 - (i) a minimum of 10 hours dual flying in a conventional microlight;
 - (ii) a minimum of five solo take-offs and landings in a conventional microlight; and
 - (iii) the applicant having acquired knowledge in the subjects principles of flight and engines and airframes towards the theoretical knowledge requirements prescribed for the endorsement of a national pilot licence endorsed for the category conventionally controlled microlight aeroplanes; or
- (b) the category gyroplane or a helicopter licence issued in terms of Part 61 may be credited with not more than 10 hours flight time acquired in a gyroplane, and the additional 15 hours required for the licence applied for must consist of:
 - (i) a minimum of five hours dual flying in a conventional microlight;
 - (ii) a minimum of 10 hours solo flying in a conventional microlight; and
 - (iii) have acquired knowledge in the subjects engines and air frames and principles of flight towards the theoretical knowledge requirements prescribed for the endorsement of a national pilot licence endorsed for the category conventionally controlled microlight aeroplanes;
- (c) the category light sport aeroplanes or touring motor gliders or a license issued in terms of Part 61 (aeroplane), the hour requirements and the cross-country requirements may be credited at the discretion of the person responsible for training of the approved ATO, and this discretion must be exercised lawfully.

Application

62.04.6 (1) An application for the issuing of a class rating or type rating for conventional microlight aeroplanes must:

- (a) be made to the Executive Director or to the designated organisation, as the case may be, on the appropriate form set out in Document NAM-CATS-FCL 62; and
- (b) be accompanied by:
 - (i) a valid licence reference number or a valid application for the issue of such licence;
 - (ii) acceptable certified evidence that the requirements prescribed in regulation 62.04.1 have been complied with; and
 - (iii) the appropriate fee as prescribed in terms of Part 187 or by the designated organisation, as the case may be: Provided that the fees set by the designated organisation may not exceed those prescribed in Part 187.

(2) The Executive Director or the designated organisation as the case may be, must issue a class rating or type rating for conventional microlight aeroplanes if the applicant complies with the requirements referred to in regulation 62.04.1.

(3) A class rating or type rating for conventional microlight aeroplanes must be issued in the form determined by the Executive Director.

Period of validity

62.04.7 A class rating or type rating by name for conventional microlight aeroplanes is valid for as long as the recreational pilot licence itself remains valid: Provided that the privileges of the class rating or type rating may not be exercised by the licence holder unless he or she complies with the provisions of regulation 62.04.9.

Privileges and limitations of the class rating or type rating for conventional microlight aeroplanes

62.04.8 (1) The holder of a class rating or type rating by name for conventional microlight aeroplanes is entitled to act as pilot-in-command of the conventional microlight aeroplane for which he or she is rated by name, or of any conventional microlight aeroplane for which he or she holds the appropriate class rating: Provided it is not operated for the provision of an air service:

- (a) within Class F and Class G airspace;
- (b) within controlled airspace unless:
 - (i) prior permission has been obtained from the responsible air traffic service unit to enter such airspace;
 - (ii) a two-way radio communication as the responsible air traffic service unit may require, is established;
 - (iii) continuous radio watch is maintained; and
 - (iv) while within an aerodrome traffic zone, the appropriate radio position reporting procedure is complied with.
- (2) Despite the provisions of subregulation (1):
 - (a) the holder of a class rating for conventional microlight aeroplanes must familiarise himself or herself with any type of conventional microlight aeroplane that he or she has not flown previously, before undertaking a flight in such aeroplane; and
 - (b) the holder of a class rating or type rating by name for conventional microlight aeroplanes may exercise the privileges of his or her rating for remuneration in an aircraft operated in terms of Part 96: Provided he or she is the holder of a valid Part 96 authorisation issued in terms of Subpart 14 of this Part.

Maintenance of competency

62.04.9 The holder of a class rating or type rating by name for conventional microlight aeroplanes may not act as pilot-in-command of a conventional microlight aeroplane unless he or she:

- (a) has:
 - (i) acted as pilot-in-command of a conventional microlight aeroplane for a minimum of five hours in the 12 months immediately preceding the intended flight and such minimum flight time may include flights undertaken by the pilot whilst receiving training appropriate to the type of conventional microlight aeroplane; or
 - (ii) passed a skills test with an appropriately rated flight instructor within the three months immediately preceding the intended flight; and
- (b) if transporting a passenger, within the 90 days immediately preceding the flight on which such passenger is to be transported, executed not less than three take-offs and three landings in a conventional microlight aeroplane.

SUBPART 5: REQUIREMENTS FOR THE ISSUE OF A CATEGORY, CLASS OR TYPE RATING BY NAME FOR WEIGHT-SHIFT CONTROLLED MICROLIGHT AEROPLANES

General

62.05.1 For the applicant for, or the holder of, a recreational pilot licence to be issued with a type rating by name for weight-shift controlled microlight aeroplanes, he or she must:

- (a) hold at least a valid restricted certificate of proficiency in radiotelephony (aeronautical);
- (b) have acquired the experience referred to in regulation 62.05.2;
- (c) have successfully completed the training as set out in Document NAM-CATS-FCL 62;
- (d) have passed the theoretical knowledge examination referred to in regulation 62.05.3; and
- (e) have successfully passed the skill test referred to in regulation 62.05.4.

Experience

62.05.2 (1) An applicant for the issuing of an initial type rating for weight-shift controlled microlight aeroplanes must have completed not less than 25 hours flight time as a pilot of a weight-shift controlled microlight aeroplane, of which at least 15 hours must be solo flight time, and which must include:

- (a) one dual cross-country flight and one solo cross-country flight, each of a duration of not less than 90 minutes with at least three legs, flown at normal cruising speed; and
- (b) one dual cross-country flight of a duration of not less than 90 minutes with at least three legs, flown at normal cruising speed and which includes a full-stop landing at a point other than the point of departure.

(2) Despite the provisions of subregulation (1), in the case of an applicant for the issuing of an initial type rating:

- (a) with extensive experience as the holder of an Aeroplane Pilot Licence, issued in terms of Part 61; or

- (b) who is the holder of a category, class rating or type rating by name for conventional microlight aeroplanes or light sport aeroplanes,

the hour requirements and the cross-country requirements may be credited at the discretion of the person responsible for training at the approved ATO, and this discretion must be exercised lawfully.

(3) The dual instruction hour requirement referred to in subregulation (1) may also be reduced in the case of an applicant with extensive experience of hang-gliding: Provided that in both the instances referred to in subregulation (2) and this subregulation, a minimum of 10 hours dual must be flown on type and five solo take-offs and landings must be conducted on type.

(4) In the case of an additional type rating for weight-shift microlight aeroplanes, not less than five hours dual and five solo take-offs and landings are required on type.

(5) An applicant for the issuing of a class rating for weight-shift controlled microlight aeroplanes must have completed not less than 500 hours flight time as a pilot of a weight-shift controlled micro light aeroplane, and hold at least five type ratings for weight-shift controlled microlight aeroplanes.

Theoretical knowledge examination

62.05.3 (1) An applicant for the issuing of an initial type rating for weight-shift controlled microlight aeroplanes must have passed the appropriate written examination as set out in Document NAM-CATS-FCL 62.

(2) Despite the provisions of subregulation (1), in the case of an applicant with extensive experience as the holder of a pilot licence issued in terms of Part 61 or the holder of a class or type rating for conventional controlled microlight aeroplanes or gyroplanes, the applicant may be given credit for any theory at the discretion of the person responsible for training at the approved ATO, and this discretion must be exercised lawfully.

(3) Despite the provisions of subregulation (2), the theoretical knowledge examination, “Principles of Flight” for weight-shift microlight aeroplanes must be written by aeroplane pilots licensed in terms of Part 61 and pilots of conventionally controlled microlight aeroplanes and gyroplane pilots seeking endorsement for weight-shift microlight aeroplanes.

Skills test

62.05.4 (1) An applicant for the issuing of type rating by name for weight-shift controlled microlight aeroplanes must have demonstrated to the holder of a Grade B or Grade A weight-shift controlled microlight aeroplane flight instructor rating the ability to perform, as pilot-in-command of a weight-shift controlled microlight aeroplane, the procedures and manoeuvres as set out in Document NAM-CATS-FCL 62, with a degree of competency appropriate to the privileges granted to the holder of a recreational pilot licence.

(2) An applicant for the issue of an additional type rating by name for weight-shift controlled microlight aeroplanes must:

- (a) undergo a skills test with a Grade C, B or A-instructor with the appropriate type or class rating in which a high standard of vital action drill is required;
- (b) perform, with the instructor at the dual controls or under direct supervision in the case of a single-seater aeroplane, at least three take-offs and three landings and any other exercise considered necessary; and

- (c) pass the technical exams as set out in Document NAM-CATS-FCL 62.

(3) The applicant referred to in subregulation (1) must undergo the skills test referred to in that subregulation within the 12 months of passing the theoretical knowledge examination referred to in regulation 62.05.3 and within the 60 days immediately preceding the date of application.

(4) The applicant referred to in subregulation (2) must undergo the skills test referred to in that subregulation within the 60 days immediately preceding the date of application.

Crediting of flight time and theoretical knowledge

62.05.5 (1) The holder of an aeroplane license issued in terms of Part 61 or in terms of this Part as the case may be, endorsed with:

- (a) the category conventionally controlled microlight aeroplane, light sport aeroplane, touring motor glider or license issued in terms of Part 61 (aeroplane), must:
 - (i) complete a minimum of 10 hours dual flying in a weight shift microlight;
 - (ii) complete a minimum of five solo take-offs and landings in a weight shift microlight; and
 - (iii) have acquired knowledge in the subjects, principles of flight and engines and airframes, towards the theoretical knowledge requirements prescribed for the endorsement of a national pilot licence endorsed for the category weight-shift controlled microlight aeroplanes;
- (b) the category gyroplane or helicopter license issued in terms of Part 61, must complete:
 - (i) the training as required in terms of regulation 62.05.2: Provided that the cross country requirements may be relaxed at the discretion of the instructor conducting the test as referred to in 62.05.5, and this discretion must be exercised lawfully; and
 - (ii) have acquired knowledge in the subjects, engines and air frames and principles of flight, towards the theoretical knowledge requirements prescribed for the endorsement of a national pilot licence endorsed for the category weight-shift controlled microlight aeroplanes; and
- (c) the category hang-gliding, an applicant with extensive experience of hang-gliding, must:
 - (i) complete a minimum of 10 hours dual flying in a weight shift microlight;
 - (ii) complete a minimum of five solo take-offs and landings in a weight shift microlight; and
 - (iii) have acquired knowledge in the subjects, principles of flight and engines and airframes, towards the theoretical knowledge requirements prescribed for the endorsement of a national pilot licence endorsed for the category weight-shift controlled microlight aeroplanes.

Application

62.05.6 (1) An application for the issuing of a type rating by name or a class rating for weight-shift controlled microlight aeroplanes must:

- (a) be made to the Executive Director or to the designated organisation, as the case may be, on the appropriate form as set out in Document NAM-CATS-FCL 62; and
- (b) be accompanied by:
 - (i) a valid licence reference number or a valid application for the issue of such licence;
 - (ii) acceptable certified evidence that the requirements prescribed in regulation 62.05.1 have been complied with; and
 - (iii) the appropriate fee as prescribed in terms of Part 187 or by the designated organisation, as the case may be, provided that the fees set by the designated organisation may not exceed those prescribed in Part 187.

(2) The Executive Director or the designated organisation as the case may be, must issue a class rating for weight-shift controlled microlight aeroplanes if the applicant complies with the requirements referred to in regulation 62.05.1.

(3) A type rating by name and a class rating for weight-shift controlled microlight aeroplanes must be issued in the form determined by the Executive Director.

Period of validity

62.05.7 A class rating for weight-shift controlled microlight aeroplanes is valid for as long as the recreational pilot licence remains valid: Provided that the privileges of the class rating may not be exercised by the licence holder unless he or she complies with the provisions of regulation 62.05.9.

Privileges and limitations of the class rating for weight-shift controlled microlight aeroplanes

62.05.8 (1) The holder of a class rating for weight-shift controlled microlight aeroplanes is entitled to act as pilot-in-command of any weight-shift controlled microlight aeroplane: Provided it is not operated for the provision of an air service:

- (a) within Class F and Class G airspace;
- (b) within controlled airspace unless:
 - (i) prior permission has been obtained from the responsible air traffic service unit to enter such airspace;
 - (ii) a two-way radio communication as the responsible air traffic service unit may require, is established;
 - (iii) continuous radio watch is maintained; and
 - (iv) while within an aerodrome traffic zone, the appropriate radio position reporting procedure is complied with while such microlight aeroplane is within such aerodrome traffic zone.

(2) Despite the provisions of subregulation (1), the holder of a class rating for weight-shift microlight aeroplanes:

- (a) must familiarise himself or herself with any weight-shift microlight aeroplane that he or she has not flown previously, before undertaking a flight in such microlight aeroplane; and
- (b) may exercise the privileges of his or her rating for remuneration in an aircraft operated in terms of Part 96: Provided he or she is the holder of a valid Part 96 authorisation issued in terms of Subpart 14 of this Part.

Maintenance of competency

62.05.9 The holder of a class rating for weight-shift controlled microlight aeroplanes may not act as pilot-in-command of a weight-shift controlled microlight aeroplane, unless he or she:

- (a) has:
 - (i) acted as pilot-in-command of a weight-shift controlled microlight aeroplane for a minimum of five hours in the 12 months immediately preceding the intended flight and such minimum flight time may include flights undertaken by the pilot whilst receiving training appropriate to the type of weight-shift controlled microlight aeroplane; or
 - (ii) has passed a skills test with an appropriately rated flying instructor within the three months immediately preceding the intended flight; and
- (b) if transporting a passenger, within the 90 days immediately preceding the flight on which such passenger is to be transported, executed not less than three take-offs and three landings in a weight-shift controlled microlight aeroplane.

SUBPART 6: REQUIREMENTS FOR THE ISSUE OF A CATEGORY, CLASS OR TYPE RATING FOR GYROPLANES

General

62.06.1 (1) For the applicant for, or the holder of, a recreational pilot licence to be issued with a category rating for gyroplanes and a first class rating and first type rating by name for gyroplanes, he or she must:

- (a) hold at least a valid restricted certificate of proficiency (aeronautical);
- (b) have acquired the experience referred to in regulation 62.06.2;
- (c) have successfully completed the training as set out in Document NAM-CATS-FCL 62;
- (d) have passed the theoretical knowledge examination as set out in Document NAM-CATS-FCL 62; and
- (e) have passed the skills test referred to in regulation 62.06.3.

- (2) An applicant for an additional type rating by name in the category gyroplanes must:
 - (a) be the holder of a valid recreational pilot licence endorsed for the category gyroplane;
 - (b) have successfully completed the appropriate training as set out in Document NAM-CATS-FCL 62;
 - (c) have passed the theoretical knowledge examination as set out in Document NAM-CATS-FCL 62; and
 - (d) have passed the skills test referred to in regulation 62.06.3 in the type of gyroplane for which the additional type rating is sought.

(3) An applicant for an additional class rating in the category gyroplanes must meet the requirements for a gyroplane type rating in the class for which the rating is sought.

Experience

62.06.2 (1) An applicant for the issuing of a first type rating in the category gyroplane must have completed not less than 30 hours flight time as a pilot of a gyroplane, of which at least 15 hours must be solo flight time, and which flight time must include:

- (a) one cross-country flight, whether dual or under supervision, and one solo cross-country flight, each of a duration of not less than 90 minutes, flown at normal cruising speed; and
- (b) one cross-country flight, whether dual or under supervision, of a duration of not less than 90 minutes, flown at normal cruising speed, and which includes a full-stop landing at a point other than the point of departure: Provided that the cross-country requirement does not apply in the case of a type rating to be endorsed 'tethered flight only'.

(2) The cross-country flights referred to in subregulation (1) must consist of at least three legs.

(3) Despite the provisions of subregulation (1), in the case of an applicant with extensive cross-country experience as the holder of a pilot licence issued in terms of this Part or of Part 61, or as a pilot in the Namibian Air Force, the cross-country requirements may be credited at the discretion of the person responsible for training at the approved ATO, and this discretion must be exercised lawfully.

Skills test

62.06.3 (1) An applicant for the issuing of a type rating by name in the category gyroplane must have demonstrated to the holder of a gyroplane flight instructor rating, the ability to perform as pilot-in-command of the gyroplane the procedures and manoeuvres as set out in Document NAM-CATS-FCL 62, with a degree of competency appropriate to the privileges granted to the holder of a recreational licence.

(2) The applicant must undergo the skills test referred to in subregulation (1) within 90 days of passing the theoretical knowledge examination referred to in regulation 62.06.1 and within the 60 days immediately preceding the date of application.

Crediting of flight time

62.06.4 The holder of a license issued in terms of Part 61 or in terms of this Part as the case may be:

- (a) may be credited with not more than five hours solo and five hours dual instruction time, and the additional 20 hours experience required for the gyroplane licence must consist of:
 - (i) a minimum of 10 hours dual flying in a gyroplane;
 - (ii) a minimum of 10 hours solo flying in a gyroplane; and
- (b) must have acquired knowledge in the subjects principles of flight and engines and airframes towards the theoretical knowledge requirements prescribed for the endorsement of a national pilot licence endorsed for the category gyroplane.

Application

62.06.5 (1) An application for the issuing of a type rating by name in the category gyroplanes must:

- (a) be made to the Executive Director or to the designated organisation, as the case may be, on the appropriate form set out in Document NAM-CATS-FCL 62; and
- (b) be accompanied by:
 - (i) a certified true copy of the applicant's recreational pilot licence or a valid application for the issue of such licence;
 - (ii) acceptable certified evidence that the requirements prescribed in regulation 62.06.1 have been complied with; and
 - (iii) the appropriate fee as prescribed in terms of Part 187 or by the designated organisation, as the case may be: Provided that the fees set by the designated organisation may not exceed the fees prescribed in Part 187.

(2) The Executive Director or the designated organisation, as the case may be, must issue a gyroplane type rating by name if the applicant complies with the requirements referred to in regulation 62.06.1.

(3) A gyroplane type rating by name must be issued in the form determined by the Executive Director.

Period of validity

62.06.6 A gyroplane type rating by name is valid for as long as the recreational pilot licence remains valid: Provided that the privileges of the type rating may not be exercised by the licence holder unless he or she complies with the provisions of regulation 62.06.7.

Privileges and limitations

62.06.7 (1) The holder of a gyroplane type rating by name is entitled to act as pilot-in-command of any gyroplane for which he or she holds a type rating by name: Provided that it is not operated for the provision of an air service:

- (a) within Class F and Class G airspace; and
- (b) within controlled airspace unless:
 - (i) prior permission to enter such airspace has been obtained from the responsible air traffic service unit;
 - (ii) a two-way radio communication is established, as the responsible air traffic service unit may require;
 - (iii) a continuous radio watch is maintained; and
 - (iv) while in an aerodrome traffic zone, the appropriate radio position reporting procedures is complied with, while such gyroplane is within such airspace.

(2) If a gyroplane rating was issued with the restriction 'tethered flight only', its holder may not exercise its privileges in free flight.

Maintenance of competency

62.06.8 The holder of a type rating by name in the category gyroplanes may not act as pilot in command of a gyroplane unless he or she:

- (a) has:
 - (i) acted as pilot-in-command of a gyroplane for a minimum of 10 hours in the 12 months immediately preceding the intended flight, and such minimum flight time may include flights undertaken by the pilot whilst receiving training appropriate to the gyroplane; or
 - (ii) has passed a practical flight test with an appropriately rated flying instructor within the three months immediately preceding the intended flight; and
- (b) if transporting a passenger has, within the 90 days immediately preceding the flight on which such passenger is to be transported, spent not less than one hour in the circuit exercising take-offs and landings in a gyroplane.

SUBPART 7: REQUIREMENTS FOR THE ISSUE OF A CATEGORY, CLASS OR ADD-ON RATING FOR HANG-GLIDERS**General**

62.07.1 (1) A hang-glider rating may be issued in the following four classes:

- (a) Novice;
- (b) Class A;
- (c) Class B; and

(d) Class C.

(2) The classes of the hang-glider rating referred to in subregulation (1) may be issued with the tandem add-on rating.

(3) For the applicant for, or the holder of a recreational pilot licence to be issued with a category rating, and the Novice Class rating, or an add-on rating for hang-gliders he or she must:

- (a) have acquired the applicable experience referred to in regulation 62.07.2;
- (b) have successfully completed the applicable training as set out in Document NAM-CATS-FCL 62;
- (c) have passed the applicable theoretical knowledge examination as set out in Document NAM-CATS-FCL 62; and
- (d) have passed the applicable skill test referred to in regulation 62.07.3.

(4) The requirements for the upgrading from Novice to Class A, from Class A to Class B, and from Class B to Class C, are those prescribed in this Subpart for the issue of the relevant ratings.

Experience

62.07.2 (1) An applicant for the issuing of any of the class ratings or add-on ratings, referred to in subregulation 62.07.1(1) in the category hang-glider must have the experience as set out in Document NAM-CATS-FCL 62.

(2) In the case of an applicant referred to in subregulation (1), and with extensive experience in weight-shift controlled microlight aeroplanes, the person responsible for training at the approved ATO may at his or her discretion, exercised lawfully, reduce the prescribed flight-time requirements.

(3) In the case of an applicant referred to in subregulation (1), and with a foreign hanglider or paraglider licence, the person responsible for training at the approved ATO may at his or her discretion, exercised lawfully, reduce the prescribed flight time requirements.

Skills test

62.07.3 (1) An applicant for the issuing of any of the class ratings or add-on ratings, referred to in subregulation 62.07.1(1) in the category hang-glider, must have demonstrated to the holder of a hang-glider flight instructor rating, the ability to perform as pilot-in-command of the hang-glider the procedures and manoeuvres as set out in Document NAM-CATS-FCL 62, with a degree of competency appropriate to the privileges granted to the holder of a recreational licence who is the holder of the respective class or add-on rating.

(2) The applicant referred to in subregulation (1), must undergo the skills test referred to in that subregulation within 90 days of passing the theoretical knowledge examination referred to in regulation 62.07.1 and within the 60 days immediately preceding the date of application.

Application for hang-glider class or add-on rating

62.07.4 (1) An application for the issuing of a hang-glider class or add-on rating must:

- (a) be made to the Executive Director or the designated organisation, as the case may be, on the appropriate form set out in Document NAM-CATS-FCL 62;
- (b) be accompanied by:
 - (i) a certified summary of the applicant's pilot logbook;
 - (ii) an application for, or certified copy of the applicant's recreational pilot licence;
 - (iii) a valid medical fitness certificate as set out in Document NAM-CATS-FCL 62;
 - (iv) the completed training as set out in Document NAM-CATS-FCL 62;
 - (v) original evidence or acceptable certified evidence that the applicant has passed the theoretical knowledge examination referred to in regulation 62.07.1;
 - (vi) original evidence or acceptable certified evidence that the applicant has passed the skill test referred to in regulation 62.07.3;
 - (vii) the appropriate fee as prescribed in Part 187; and
 - (viii) any additional information requested by the Executive Director or designated organisation the case may be.
- (2) An applicant for the Class B hang-glider rating must have been the holder of a Class A rating for at least three months.
- (3) An applicant for the Class C hang-glider rating must have been the holder of a Class B rating for at least twelve months.
- (4) An applicant for the tandem rating must be the holder of a valid Class C hang-glider rating.
- (5) The Executive Director or the designated organisation, as the case may be, must endorse the applicant's recreational pilot licence with the appropriate hang-glider class or add-on rating, if the applicant complies with the requirements prescribed in regulation 62.07.1.

Period of validity

62.07.5 A hang-glider class or add-on rating is valid for an indefinite period: Provided its holder is the holder of a valid recreational pilot licence and maintains competency as prescribed in regulation 62.07.7.

Privileges and limitations

62.07.6 (1) The holder of a hang-glider Novice class rating is permitted to act as pilot-in-command of a hang-glider under the supervision of an appropriately rated flight instructor or the holder of a valid hang-glider Class C rating under the conditions set out in Document NAM-CATS-FCL62.

(2) The holder of a recreational pilot licence endorsed for the category hang-gliders and a Class As, B, or C rating, is entitled to act as pilot-in-command of a hang-glider for which he or she holds the appropriate class rating and add-on rating within Class F and Class G airspace: Provided that it is not operated for the provision of an air service.

Maintenance of competency

62.07.7 (1) The holder of a hang-glider class or add-on rating may not act as pilot-in-command of a hang-glider for which he or she holds the appropriate rating unless he or she:

- (a) in the 12 months immediately preceding the intended flight has acted as pilot-in-command of a hang-glider for a minimum of:
 - (i) 10 flights and 1 hour, in the case of a Class A rating;
 - (ii) 10 flights and five hours, in the case of a Class B rating; or
 - (iii) 20 flights, 15 hours and 50 km total cross-country flight distance, in the case of a Class C rating; or
- (b) has passed a practical flight test with an appropriately rated flying instructor within the three months immediately preceding the intended flight.

(2) The minimum flight time, referred to in subregulation (1)(a), may include flights undertaken by the pilot whilst receiving training appropriate to the type of hang-glider.

Type ratings

62.07.8 (1) The listing in regulation 62.01.7(1) prescribes the various types of hang-gliders in use that may be flown by the holder of any of the class ratings, referred to in regulation 62.07.1(1).

(2) A hang-glider type is not endorsed in the recreational pilot's licence, but before attempting to fly a new type, the hang-glider pilot must undergo the familiarisation training as set out in Document NAM-CATS-FCL 62, and details of such familiarisation training must be endorsed in the pilot's logbook by the instructor who had conducted the training with the pilot.

SUBPART 8: REQUIREMENTS FOR THE ISSUE OF A CATEGORY, CLASS OR ADD-ON RATING FOR PARAGLIDERS

General

62.08.1 (1) A paraglider rating may be issued in the following two classes, with an add-on rating for tandem flying:

- (a) Basic; and
- (b) Sport.

(2) For the applicant for, or the holder of, a recreational pilot licence to be issued with a category rating and the Basic Class rating or add-on ratings for paragliders, he or she must:

- (a) have acquired the applicable experience referred to in regulation; 62.08.2

- (b) have successfully completed the applicable training as set out in Document NAM-CATS-FCL 62;
- (c) have passed the applicable theoretical knowledge examination as set out in Document NAM-CATS-FCL 62; and
- (d) have passed the applicable skills test referred to in regulation 62.08.3.

(3) The applicant for the upgrading from the Basic Class to the Sport Class paraglider rating must have held the Basic Class rating for at least six months and have acquired the experience prescribed in regulation 62.08.2.

- (4) The applicant for the paraglider tandem rating must:
 - (a) have held a paraglider rating for at least 24 months;
 - (b) be the holder of a sport class rating;
 - (c) hold an appropriate medical fitness certificate, set out in Document NAM-CATS-FCL 62; and
 - (d) have acquired the experience prescribed in regulation 62.08.2.

Experience

62.08.2 An applicant for the issuing of any of the class or add-on ratings, referred to in subregulation 62.08.1(1), in the category paraglider, must have the experience as set out in Document NAM-CATS-FCL 62.

Skills test

62.08.3 (1) An applicant for the issuing of any of the class or add-on ratings, referred to in regulation 62.08.1(1) in the category paraglider must have demonstrated to the holder of a paraglider flight instructor rating, the ability to perform as pilot-in-command of the paraglider, the procedures and manoeuvres as set out in Document NAM-CATS-FCL 62, with a degree of competency appropriate to the privileges granted to the holder of a recreational licence who is the holder of the respective class rating.

(2) The applicant referred to in subregulation (1) must undergo the skills test referred to that subregulation within 90 days of passing the theoretical knowledge examination referred to in regulation 62.08.1 and within the 60 days immediately preceding the date of application.

Application for paraglider class or add-on rating

- 62.08.4** (1) An application for the issuing of a paraglider class or add-on rating must:
- (a) be made to the Executive Director or the designated organisation, as the case may be, on the appropriate form as set out in Document NAM-CATS-FCL 62;
 - (b) be accompanied by:
 - (i) a certified summary of the applicant's pilot logbook;
 - (ii) an application for, or certified copy of the applicant's recreational pilot licence;

- (iii) a valid medical fitness certificate as set out in Document NAM-CATS-FCL 62;
- (iv) the completed training proficiency card as set out in Document NAM-CATS-FCL 62;
- (v) original evidence or acceptable certified evidence that the applicant has passed the theoretical knowledge examination referred to in regulation 62.08.1
- (vi) original evidence or acceptable certified evidence that the applicant has passed the skills test referred to in regulation 62.08.3;
- (vii) the appropriate fee as prescribed in Part 187; and
- (viii) any additional information as requested by the Executive Director or the designated organisation, as the case may be.

(2) The Executive Director or the designated organisation, as the case may be, must endorse the applicant's recreational pilot licence with the appropriate paraglider class or add-on rating, if the applicant complies with the requirements prescribed in regulation 62.08.1.

Period of validity

62.08.5 A paraglider class or add-on rating is valid for an indefinite period: Provided that its holder is the holder of a valid recreational pilot licence and maintains competency as prescribed in regulation 62.08.7.

Privileges and limitations

62.08.6 (1) The holder of a valid recreational pilot licence, endorsed for the category paragliders, is permitted within Class F and Class G airspace to act as pilot-in-command of a paraglider for which he or she holds the appropriate class rating: Provided that it is not operated for the provision of an air service.

- (2) The holder of a paraglider basic rating is permitted to fly:
 - (a) un-assisted at basic-graded sites;
 - (b) under supervision of the holder of a valid paraglider Sport Class rating when flying at a site requiring additional supervision according to the rules governing the site; and
 - (c) for the first 80 flights, only basic- and intermediate-rated paragliders.
- (3) The holder of a paraglider Sport Class rating is permitted to:
 - (a) fly any paraglider, other than a tandem-class paraglider: Provided that heavy pilots may fly approved tandem gliders solo, provided that they meet the minimum specified mass range;
 - (b) fly at all sites after local site requirements have been met; and
 - (c) conduct training as a recreational assistant flight instructor (paraglider) under the supervision of an appropriately rated recreational flight instructor (paraglider).

(4) The holder of a paraglider tandem rating is permitted to act as pilot-in-command of a paraglider while carrying a passenger: Provided that, for the first 20 flights, any passenger must be the holder of a valid recreational pilot licence endorsed for the paraglider category.

(5) Despite the provisions of subregulation (2), (3) and (4), the designated organisation may set minimum experience requirements for specific types and models of paragliders to be published as an addendum in that organisation's operations manual approved in accordance with the Regulations or technical standards.

(6) The grading of sites, referred to in subregulation (2) and (3), and the setting of the rules governing such sites, is the responsibility of the designated organisation.

Maintenance of competency

62.08.7 (1) The holder of a recreational pilot licence, endorsed for the category paraglider may not act as pilot in command of a paraglider for which he or she holds the appropriate class rating unless he or she has:

- (a) in the 12 months immediately preceding the intended flight acted as pilot-in-command of a paraglider for a minimum of:
 - (i) 20 flights and five hours, in the case of a Basic Class rating;
 - (ii) 40 flights and 10 hours, in the case of a Sport Class rating; or
 - (iii) 20 flights and five hours on tandem gliders, in the case of a tandem rating, in addition to having met the competency requirements for a Sport Class rating; and
- (b) passed a practical flight test with an appropriately rated recreational flying instructor within the three months immediately preceding the intended flight.

(2) The minimum flight time referred to in paragraph (a) of subregulation (1) may include flights undertaken by the pilot whilst receiving training appropriate to the type of paraglider.

SUBPART 9: REQUIREMENTS FOR THE ISSUE OF A RECREATIONAL FLIGHT INSTRUCTOR RATING

General

62.09.1 (1) The applicant for the issue of a recreational flight instructor rating must:

- (a) be the holder of a valid recreational pilot licence;
- (b) hold at least a valid Class 1 medical certificate issued in terms of Part 67;
- (c) have acquired the experience referred to in regulation 62.09.2;
- (d) have successfully completed the training as set out in Document NAM-CATS-FCL 62;
- (e) have passed the theoretical knowledge examination as set out in Document NAM-CATS-FCL 62;
- (f) have undergone the skills test referred to in regulation 62.09.3; and

- (g) in the case of a recreational flight instructor rating (hang-glider) or (paraglider) be the holder of a valid recognised certificate of competency in first aid.

(2) The applicant for the issue of a recreational assistant flight instructor (paraglider) must in addition to the requirements of subregulation (1) be the holder of a valid Sport Class rating for at least 12 months.

(3) Despite the provisions of subregulation (1), where a recreational flight instructor rating is to be endorsed only for the category hang-glider or paraglider, the applicant must complete and submit instead a medical fitness certificate, as set out in Document NAM-CATS-FCL 62.

Experience

62.09.2 (1) The applicant for the issuing of Grade C recreational flight instructor rating must:

- (a) in the case of the holder of a type or class rating for conventional or weight-shift controlled microlight aeroplanes or a category rating for weight-shift controlled microlight aeroplanes or a type rating for light sport aeroplanes or gyroplanes, have a minimum of 200 hours of flight time of which at least 100 hours must be on weight-shift controlled microlight aeroplanes, conventional microlight aeroplanes, gyroplanes or light sport aeroplanes in the applicable category;
- (b) in the case of weight-shift controlled microlight aeroplanes, have at least 10 hours of practical instruction and 30 hours of class teaching are required; or
- (c) in the case of conventional microlight aeroplanes, have at least 10 hours of practical instruction pattern and 30 hours of class teaching; or
- (d) in the case of light sport aeroplanes or gyroplanes at least 15 hours of practical instruction pattern and 30 hours of class teaching are required.

(2) The applicant for the issue of a Grade B recreational flight instructor rating, must have at least six months experience as a Grade C microlight, light sport aeroplane or gyroplane flight instructor, and not less than 200 hours of flight instruction of which at least 100 hours must be on a microlight, gyroplane or light sport aeroplane in the applicable category.

(3) The applicant for a Grade A recreational flight instructor rating, must have at least three years' experience as a Grade B microlight, light sport aeroplane or gyroplane flight instructor is required and not less than 500 hours of flight instruction time, of which at least 300 hours of flight instruction time must be on a microlight, gyroplane or light sport aeroplane in the applicable category.

(4) In the case of the holder of a category rating for hang-gliders, the applicant for the issue of an assistant recreational flight instructor rating (hang-glider), must:

- (a) have conducted 30 hours of classroom training under the supervision of at least a Grade C hang-glider rating; and
- (b) have held a hang-glider rating, including a learner's certificate, for at least one year;

(5) The applicant for the issue of a recreational flight instructor rating (hang-glider) Grade C, must:

- (a) have attended an instructor Grade C course; and

- (b) have completed the practical requirements as set out in Document NAM-CATS-FCL 62.
- (6) The applicant for the issue of a recreational flight instructor rating (hang-glider) Grade B, must:
- (a) have held a Class C hang-glider rating for at least 12 months or have attended an instructor Grade C course;
 - (b) have logged at least 200 flights or 100 hours air time; and
 - (c) have gained at least 10 days practical experience in flight instruction by observing and assisting an appropriated rated recreational flight instructor (hang-glider) on training slopes.
- (7) The applicant for the issue of a recreational flight instructor rating (hang-glider) Grade A, must:
- (a) have held a Class B hang-glider rating for at least 12 months;
 - (b) have logged at least 300 flights or 150 hours air time; and
 - (c) have gained at least 20 days practical experience in flight instruction by assisting an appropriated rated recreational flight instructor (hang-glider) on training slopes.
- (8) In the case of the holder of a category rating for paragliders, the applicant for a recreational assistant flight instructor (paragliding), must have at least one year paragliding experience.
- (9) An applicant for recreational flight instructor rating (paragliding) Grade C, must:
- (a) have held a Sport Class paraglider rating for at least 6 months;
 - (b) have attended an instructor Grade C course; and
 - (c) have completed the practical requirements as set out in Document NAM-CATS-FCL 62.
- (10) An applicant for a recreational flight instructor (paragliding) Grade B, must -
- (a) have paraglider flight experience for at least two years;
 - (b) have been the holder of the Sport Class rating for at least twelve months;
 - (c) have logged at least 200 flights and 100 hours flight time, and have either:
 - (i) gained practical experience by observing and assisting at least three approved paraglider training schools on training slopes for at least 15 days; or
 - (ii) have attended an approved paraglider flight instructor course and observing and assisting an appropriately rated paraglider flight on training slopes for at least 10 days.

- (11) An applicant for a recreational flight instructor (paragliding) Grade A, must:
- (a) have paraglider flight experience for at least three years;
 - (b) have been the holder of the Sport Class rating for at least 18 months; and
 - (c) have logged at least 300 solo flights and 150 solo hours flight time, and have gained practical experience by observing and assisting at least three approved paraglider training schools on training slopes for at least 20 days.

Skills test

62.09.3 (1) The applicant for the issuing of a recreational flight instructor rating must have demonstrated to an appropriately rated flight instructor or designated examiner the ability to perform as a flight instructor the procedures and manoeuvres as set out in Document NAM-CATS-FCL 62 for the category of aircraft for which the instructor rating is sought, with a degree of competency appropriate to the privileges granted to the holder of a recreational flight instructor rating.

(2) The skills test referred to in subregulation (1) must be demonstrated in an aircraft of the category for which the recreational flight instructor rating is sought.

(3) The applicant must undergo the skills test referred to in subregulation (1) within 12 months of passing the theoretical knowledge examination, referred to in regulation 62.09.1 and within the 90 days immediately preceding the date of application.

Application

62.09.4 (1) An application for the issue of a recreational flight instructor rating must be made to the Executive Director or the designated organisation, as the case may be, on the appropriate form as set out in document NAM-CATS-FCL 62, and be accompanied by:

- (a) a valid licence reference number, held by the applicant;
- (b) a valid class 1 medical certificate issued in terms of Part 67;
- (c) the original or acceptable certified evidence that the applicant has passed the theoretical knowledge examination, referred to in regulation 62.09.1;
- (d) the skills test report as set out in Document NAM-CATS-FCL 62; and
- (e) the appropriate fee as prescribed in Part 187 of the Regulations.

(2) The Executive Director, or the designated organisation, as the case may be, must issue the appropriate recreational flight instructor rating if the applicant complies with the requirements referred to in regulation 62.09.1, in the form determined by the Executive Director.

Privileges and limitations

62.09.5 (1) The holder of a valid recreational flight instructor rating is entitled to conduct flight instruction for reward under the control of an approved ATO, in a non-type certificated aircraft for which he or she holds a valid category rating and class rating or type rating by name, as the case may be, to the extent of the privileges of the particular recreational flight instructor rating held as follows:

- (a) in the case of a Grade C recreational flight instructor (microlight aeroplane, gyroplane or light sport aeroplane), under direct supervision by a Grade B or Grade A instructor:
 - (i) to conduct *ab initio* training on only those aircraft for which he or she holds an instructor conversion on type as per Document NAM-CATS-FCL 62;
 - (ii) to conduct additional type conversion training for the holder of a recreational pilot licence or instructor rating; and
 - (iii) to give lectures;
- (b) in the case of a Grade B recreational flight instructor (microlight aeroplane, gyroplane or light sport aeroplane):
 - (i) to exercise the privileges of a Grade C recreational flight instructor (microlight aeroplane or light sport aeroplane);
 - (ii) to authorise the holder of a microlight aeroplane learner's certificate for his or her first solo flight;
 - (iii) to conduct flight tests for the issuing of a type or class rating for which he or she holds the appropriate category and type or class rating;
 - (iv) to develop examinations under the supervision of a Grade A instructor;
 - (v) to sign application forms and certificates of competency;
 - (vi) to supervise Grade C-instructors;
 - (vii) in the case of micro light aeroplanes, may apply for a class rating (microlight aeroplane) for instruction on obtaining a B-grade rating if he or she is the holder of instructor type ratings on at least 5 microlight types and has a minimum of 200 hours of instruction on microlight aeroplanes; and
 - (viii) conduct additional type conversion training for the holder of a recreational pilots licence or instructor rating;
- (c) in the case of a Grade A recreational flight instructor (microlight, gyroplane and light sport aircraft):
 - (i) to exercise the privileges of a Grade B recreational flight instructor (microlight aeroplane, gyroplane or light sport aircraft);
 - (ii) to conduct the training (including patter training) required for a Grade A, Grade B or Grade C recreational flight instructor (microlight aeroplane, gyroplane or light sport aircraft);
 - (iii) to conduct the skills tests required for a Grade B or Grade C recreational flight instructor (microlight aeroplane);
 - (iv) to undertake the duties, in conducting the skills test, as prescribed in regulation 62.14.04;
 - (v) to conduct the training required for other special ratings; and

- (vi) to conduct and mark examinations;
- (d) in the case of a recreational assistant flight instructor (hang-glider):
 - (i) to assist with *ab initio* training conducted by an approved ATO, such as ground-handling exercises, ground-skimming flight;
 - (ii) to assist in presenting theoretical lectures; and
 - (iii) to supervise flights by the holders of a Novice Class rating;
- (e) in the case of a recreational Grade C flight instructor (hang-glider):
 - (i) to conduct *ab initio* training, through an approved ATO, such as ground-handling exercises, ground-skimming flight, under supervision of a Grade A or B flight instructor (hang glider);
 - (ii) to present theoretical lectures;
 - (iii) to supervise flights by the holders of a Novice Class rating; and
 - (iv) to supervise assistant recreational instructors (hang glider);
- (f) in the case of a recreational Grade B flight instructor (hang-glider):
 - (i) to exercise the privileges of a Grade C recreational flight instructor (hang glider);
 - (ii) to authorise the holder of a hang glider learner's certificate for his or her first solo flight;
 - (iii) to conduct flight tests for the issuing of a type or class rating for which he or she holds the appropriate category and type or class rating;
 - (iv) to develop examinations under the supervision of a Grade A instructor;
 - (v) to sign application forms and certificates of competency; and
 - (vi) to supervise Grade C-instructors;
- (g) in the case of a recreational Grade A flight instructor (hang-glider):
 - (i) to exercise the privileges of a Grade B recreational flight instructor (hang glider);
 - (ii) to conduct the training (including pattern training) required for a Grade A, Grade B or Grade C recreational flight instructor (hang glider);
 - (iii) to conduct the skills tests required for a Grade B or Grade C recreational flight instructor (hang glider);
 - (iv) to undertake the duties, in conducting the skills, test as prescribed in regulation 62.14.04;
 - (v) to conduct the training required for other special ratings; and

- (vi) to conduct and mark examinations.
- (h) in the case of a recreational assistant flight instructor (paraglider):
 - (i) to assist with *ab initio* training conducted by an approved ATO, such as ground-handling exercises, ground-skimming flight;
 - (ii) to assist in presenting theoretical lectures; and
 - (iii) to supervise flights by the holders of a Basic Class rating;
- (i) in the case of a recreational Grade C flight instructor (paraglider):
 - (i) to conduct *ab initio* training through an approved Part 141 training, such as ground-handling exercises, ground-skimming flight, under supervision of a Grade A or B flight instructor (paraglider);
 - (ii) to present theoretical lectures;
 - (iii) to supervise flights by the holders of a Novice Class rating; and
 - (iv) to supervise assistant recreational instructors (paraglider);
- (j) in the case of a recreational Grade B flight instructor (paraglider):
 - (i) to exercise the privileges of a Grade C recreational flight instructor (paraglider);
 - (ii) to authorise the holder of a hang glider learner's certificate for his or her first solo flight;
 - (iii) to conduct flight tests for the issuing of a type or class rating for which he or she holds the appropriate category and type or class rating;
 - (iv) to develop examinations under the supervision of a Grade A instructor;
 - (v) to sign application forms and certificates of competency;
 - (vi) to supervise Grade C-instructors;
- (k) in the case of a recreational Grade A flight instructor (paraglider):
 - (i) to exercise the privileges of a Grade B recreational flight instructor (paraglider);
 - (ii) to conduct the training (including pattern training) required for a Grade A, Grade B or Grade C recreational flight instructor (paraglider);
 - (iii) to conduct the skill tests required for a Grade B or Grade C recreational flight instructor (paraglider);
 - (iv) to undertake the duties, in conducting the skills test, as prescribed in regulation 62.14.04;
 - (v) to conduct the training required for other special ratings; and

- (vi) to conduct and mark examinations.

(2) Despite the provisions of subregulation (1), the following requirements are applicable to endorsements on a recreational flight instructor's rating:

- (a) in all cases the recreational flight instructor must have the flight instructor endorsement (PI) for the specific class and aeroplane type in his or her logbook and licence, as required; and
- (b) in all cases the recreational flight instructor must have the flight instructor endorsement (PI) for any rating of special purposes for which he has been trained as an instructor, and as endorsed on his licence with at least 25 hours of experience on the special rating.

(3) For each endorsement referred to in subregulation (2), all relevant recency requirements must be met before the privileges of that endorsement may be exercised.

- (4) For the type or class rating instructor endorsement, the instructor must:

- (a) in the case of a microlight aeroplane, gyroplane and light sport aircraft type, have accumulated at least 50 hours on type;
- (b) in the case a of gyroplanes and light sport aircraft class, have accumulated at least 200 hours in the category;
- (c) in the case of hang gliders and paragliders types or for class ratings, have accumulated at least 20 hours on type or 50 hours in the class; and
- (d) have his or her logbook endorsed by the DFE with the words: "Authorised to give instruction for the (type by name) type rating".

Period of validity

62.09.6 A recreational flight instructor rating is valid for a period of two years, calculated from the end of the month following the date of issue, re-issue, or upgrade, or from the date of expiry of the rating if such rating is revalidated in accordance with the provisions of regulation 62.09.7.

Renewal

62.09.7 To renew a recreational flight instructor rating:

- (a) in the case of either a Grade A, Grade B or Grade C recreational flight instructor (microlight aeroplane or light sport aeroplanes) the holder of the rating must:
 - (i) have attended a flight instructor refresher course as set out in Document NAM-CATS-FCL 62 within the two years immediately preceding the date of expiring of such rating;
 - (ii) have given not less than 50 hours of flight instruction within the three years preceding the date of expiry, of which not less than 25 hours must have been within the 12 months immediately preceding the date of expiry of such rating; and
 - (iii) have undergone the skills test referred to in regulation 62.09.3 within 90 days prior to date of expiry;

- (b) in the case of a recreational flight instructor (gyroplane), the holder must:
 - (i) have attended a flight instructor refresher seminar, as set out in Document NAM-CATS-FCL 62, within the two years immediately preceding the date of expiring of such rating;
 - (ii) have given not less than 30 hours of flight instruction within the three years preceding the date of expiry, of which not less than 25 hours must have been given within the 12 months immediately preceding the date of expiry of such rating; and
 - (iii) within the 90 days immediately preceding the date of expiry of the rating have undergone the skills test referred to in regulation 62.09.3;
- (c) in the case of a recreational assistant flight instructor (hang-glider) within the 90 days immediately preceding the date of expiry of the rating have undergone the skill test referred to in regulation 62.09.3;
- (d) in the case of a recreational flight instructor (hang-glider):
 - (i) have attended a flight instructor refresher seminar, as set out in Document NAM-CATS-FCL 62, within the two years immediately preceding the date of expiring of such rating;
 - (ii) have logged a minimum of 20 flights, 15 hours, and 50 km total cross-country flight distance during the previous 12 months;
 - (iii) have given not less than 30 hours of flight instruction within the three years preceding the date of expiry, of which not less than 25 hours must have been given within the 12 months immediately preceding the date of expiry of such rating, or within the 90 days immediately preceding the date of expiry of the rating have undergone the skills test referred to in regulation 62.09.3; and
 - iv) be in possession of a First Aid certificate valid for the period of the rating.
- (e) in the case of a recreational flight instructor (paraglider):
 - (i) have attended a flight instructor refresher seminar, as prescribed in Document NAM-CATS-FCL 62, within the two years immediately preceding the date of expiring of such rating;
 - (ii) have logged a minimum of 40 flights and 10 hours within the 12 months immediately preceding the date of expiry of such rating;
 - (iii) have given not less than 30 hours of flight instruction within the three years preceding the date of expiry, of which not less than 25 hours must have been given within the 12 months immediately preceding the date of expiry of such rating; or within the 90 days immediately preceding the date of expiry of the rating have undergone the skills test referred to in regulation 62.09.3; and
 - (iv) be in possession of a First Aid certificate valid for the period of the rating.

Crediting of flight time and theoretical knowledge

62.09.8 (1) A recreational flight instructor is entitled to be credited with all instruction time acquired while giving flight instruction for the purpose of initial flight training, instructor training, conversion to type training, safety training referred to in Part 141, and training towards various ratings, towards a higher grade flight instructor rating, or towards the revalidation or re-issue of any existing rating in that category class or type: Provided that he or she holds the appropriate category, class or type rating.

(2) The holder of a national flight instructor rating endorsed for the category weight-shift microlight aeroplane or gyroplane:

- (a) is entitled to be credited with not more than 100 hours flight time acquired in a weight-shift microlight aeroplane or gyroplane, as the case may be, towards the total flight time experience prescribed for the endorsement of a national flight instructor rating for the category light sport aeroplane; and
- (b) must have acquired knowledge in the subjects, principles of flight and engines and airframes, towards the theoretical knowledge requirements prescribed for the endorsement of a national flight instructor rating endorsed for the category light sport aeroplane.

(3) Despite the provisions of this regulation, the holder of a national flight instructor rating endorsed for the category conventionally controlled microlight aeroplane:

- (a) is entitled to be credited with not more than 150 hours flight time acquired in a conventionally controlled microlight aeroplane towards the total flight time experience prescribed for the endorsement of a national flight instructor rating for the category light sport aeroplane; and
- (b) must have acquired knowledge in the subjects, engines and air frames and principles of flight, towards the theoretical knowledge requirements prescribed for the endorsement of a national flight instructor rating endorsed for the category light sport aeroplane.

SUBPART 10: REQUIREMENTS FOR THE ISSUE OF A TEST PILOT QUALIFICATION**General**

62.10.1 (1) The requirements for the issue of a test pilot qualification is provided for in Subpart 25 of Part 61 of these regulations.

(2) A test pilot qualification may be issued to the holder of a valid recreational pilot licence: Provided that all other requirements for the issuing of the test pilot qualification are met and the requirements for a medical certificate as prescribed in Part 67 are met.

Privileges and limitations

62.10.2 If a test pilot qualification has been issued to the holder of a recreational pilot licence, the privileges of the rating may be exercised only in a non-type certificated aircraft for which he or she holds a valid type, class and category rating.

SUBPART 11: REQUIREMENTS FOR THE ISSUE OF A MICROLIGHT AND LIGHT SPORT AEROPLANE TUG AND TOW RATINGS

General

62.11.1 An applicant for the issuing of a conventional microlight aeroplane or light sport aeroplane tug or tow rating must:

- (a) be the holder of a valid aeroplane pilot licence issued under Part 61 of these regulations, or a recreational pilot licence issued in terms of this Part, endorsed for the category conventional microlight aeroplanes or light sport aeroplanes and with the appropriate class rating or type rating for the tug aeroplane to be used;
- (b) have acquired the experience referred to in regulation 62.11.2;
- (c) have successfully completed the training referred to in regulation 62.11.3;
- (d) have passed the theoretical knowledge examination as set out in Document NAM-CATS-FCL 61; and
- (e) have successfully passed the skills test referred to in regulation 62.11.4.

Experience

62.11.2 (1) An applicant for a microlight aeroplane or light sport aeroplane tug or tow rating must have acquired on conventional microlight aeroplanes or light sport aeroplanes, in the category for which the tug or tow rating is sought, at least 100 hours as pilot-in-command.

(2) The 100 hour requirement referred to in subregulation (1) may be reduced to 50 hours as pilot-in-command of a microlight aeroplane or light sport aeroplane if the applicant is the holder of a valid tug pilot rating issued in terms of Part 61 and is the holder of a valid pilot licence with the applicable microlight aeroplane class rating or type rating or light sport aeroplane type rating.

Training

62.11.3 An applicant for a microlight aeroplane or light sport aeroplane tug or tow rating must complete successfully under supervision of an appropriately rated flight instructor or a person designated for the purpose in writing by the Executive Director or a designated organisation, as the case may be a minimum of 10 aero-tows.

Skills test

62.11.4 An applicant for a microlight aeroplane or light sport aeroplane tug or tow rating must within the 30 days immediately preceding the date of application have demonstrated to an appropriately rated flight instructor or a person designated for the purpose in writing by the Executive Director or a designated organisation, as the case may be, the ability to satisfactorily execute the skills as set out in Document NAM-CATS-FCL 62.

Hang-gliding tug endorsement

62.11.5 (1) A recreational pilot or an aeroplane pilot with a tug rating for conventional microlights may not tow a hang-glider without a valid hang-gliding tug endorsement issued by the Executive Director or the designated organisation, as the case may be.

(2) For a hang-gliding tug endorsement referred to in subregulation (1), the pilot is required to demonstrate at least 10 hang-gliding tugs, of which five must be in moderately thermic conditions.

(3) A pilot with a tug rating hang-gliding endorsement referred to in subregulation (1) may tug a hang-glider: Provided that the pilot of the hang-glider is the holder of a valid recreational pilot licence in the category hang-gliders with a valid aero-tow rating.

(4) A hang-gliding tug endorsement referred to in subregulation (1) may be obtained independently of the tug rating: Provided that the holder of a hang-gliding tug endorsement may not tow anything other than a hang-glider.

Application

62.11.6 (1) An applicant for a microlight aeroplane or light sport aeroplane tug or tow rating must submit together with his or her application a certificate, signed by an appropriately rated flight instructor, confirming that the applicant has passed the theoretical knowledge examination and skills test, referred to in regulations 62.11.1 and 62.11.4 respectively, and is deemed to be fit to act as pilot-in-command of a microlight aeroplane or light sport aeroplane while towing a hang-glider.

(2) The Executive Director or the designated organisation, as the case may be, must endorse the applicant's pilot licence with the tug or tow rating if the applicant complies with the requirements prescribed regulation in 62.11.1 and 62.11.4.

Privileges and limitations

62.11.7 The holder of a pilot licence in the category microlight aeroplanes or light sport aeroplanes endorsed with the tug or tow rating is entitled to act as pilot-in-command of a conventional microlight aeroplane or light sport aeroplane of the appropriate type by name or in the appropriate class.

SUBPART 12: REQUIREMENTS FOR THE ISSUE OF AN AGRICULTURAL PILOT RATING

General

62.12.1 The requirements for the issue of an agricultural pilot rating are the requirements for the issue of an agricultural pilot rating prescribed in Part 61 of the regulations.

SUBPART 13: REQUIREMENTS FOR THE ISSUE OF A HANG-GLIDER AERO-TOW ENDORSEMENT

General

62.13.1 An applicant for the issuing of a hang-glider aero-tow endorsement must:

- (a) be the holder of a valid recreational pilot licence, endorsed for the category hang-gliding;
- (b) have acquired the experience referred to in regulation 62.13.2; and
- (c) have successfully passed the written theoretical knowledge examination set out in Document NAM-CATS-FCL 62.

Experience

62.13.2 An applicant for the issuing of a hang-glider aero-tow endorsement must have satisfactorily completed under the supervision of an appropriately rated flight instructor 10 aero-tows, of which at least five were completed in moderately thermal conditions.

Application

62.13.3 (1) An applicant for the issuing of a hang-glider aero-tow endorsement must:

- (a) be made to the Executive Director or the designated organisation, as the case may be, on the appropriate form set out in Document NAM-CATS-FCL 62; and
- (b) be accompanied by:
 - (i) the original or acceptable certified copy of the applicant's valid pilot licence, endorsed for the category hang-glider;
 - (ii) a certificate of competency signed by a suitably licensed and rated flight instructor stating that the applicant has met the requirements of regulations 62.13.1; and
 - (iii) the applicable fee as prescribed in Part 187 of the Regulations.

(2) The Executive Director or, if applicable, the designated, as the case may be, must issue in the form determined by the Executive Director a hang-glider aero-tow endorsement if the applicant complies with the requirements of regulation 62.13.1.

Privileges and limitations

62.13.4 The holder of a valid hang-glider aero-tow endorsement may act as pilot-in-command of a hang-glider for which he or she holds the appropriate rating whilst under tow from an amateur-built or production-built aircraft, including a microlight aeroplane, certified for tug operations.

Period of validity

62.13.5 A hang-glider aero-tow endorsement is valid for the period of the recreational pilot licence or unless the endorsement is revoked or suspended in terms of the Act.

Maintenance of competency

62.13.6 The holder of a hang-glider aero-tow endorsement may not exercise the privileges relating to rating unless:

- (a) he or she during the six months immediately preceding the flight has carried out at least five aero-tows; or
- (b) he or she has carried out at least five aero-tows under the supervision of an appropriately rated flight instructor.

SUBPART 14: REQUIREMENTS FOR THE ISSUE OF A PART 96 AUTHORISATION**Background**

62.14.1 (1) Part 96 of the Regulations regulates the commercial operation of non-type certificated recreational aircraft of a maximum certificated mass of 600 kg or less.

(2) Non-type certificated aircraft, issued with an Authority to Fly in terms of Part 24 do not meet ICAO standards and may only be operated within the borders of Namibia, unless specifically authorised by the appropriate authority for the foreign airspace.

(3) As non-type certificated aircraft may not be operated in international commercial air transport, ICAO requirements in respect of pilot licensing do not apply and national authorities may regulate such operations for domestic operations.

(4) The Executive Director, in accordance with (1) and (2), may authorise the holder of a valid appropriate recreational pilot licence to conduct commercial operations with non-type certificated recreational aircraft in terms of Part 96 on conditions prescribed by the Executive Director in this Part.

(5) The requirements for a Part 96 authorisation as applicable to the aircraft types which may be operated by a recreational pilot licensed in terms of this Part are set out in this Subpart.

Requirements for a Part 96 authorisation

62.14.2 An applicant for the issuing of a Part 96 authorisation must:

- (a) be 18 years of age or older;
- (b) hold at least a valid Class 2 medical certificate issued in terms of Part 67;
- (c) hold at least a valid restricted radiotelephony operator's certificate;
- (d) hold a valid recreational pilot licence issued in terms of this Part
- (e) have acquired the experience referred to in regulation 62.14.3;
- (f) have successfully completed the training set out in Document NAM-CATS-FCL 62;
- (g) have passed the theoretical knowledge examination set out in Document NAM-CATS-FCL 62; and
- (h) have undergone the skill test referred to in regulation 62.14.4.

Experience

62.14.3 An applicant for the issuing of a Part 96 authorisation must:

- (a) in the case of the category microlight aeroplanes and light sport aeroplanes:
 - (i) have 200 hours flight time as pilot of a microlight aeroplane or light sport aeroplane, as the case may be, of which not less than 150 hours must be as pilot-in-command; or

- (ii) have 100 hours as pilot-in-command of an aeroplane with a maximum certificated mass of 5 700 kg or less and at least 100 hours as pilot-in-command of an aeroplane in the same category for which Part 96 authorisation is sought;
- (b) in the case of the category gyroplanes have 200 hours of flight time as pilot-in-command of a gyroplane; and
- (c) in the case of a category paragliders, powered paragliders, hang-gliders and powered hang-gliders have a minimum of 300 flights and 200 hours of flight time and hold a valid Grade A, B or C instructor licence and valid tandem add on rating.

Skills test

62.14.4 (1) An applicant for the issuing of a Part 96 authorisation must have demonstrated to an appropriately qualified flight instructor the ability to perform, as pilot-in-command of an aircraft in the category for which the authorisation is sought, the procedures and manoeuvres as set out in Document NAM-CATS-FCL 62 with a degree of competency appropriate to the privileges granted to the holder of a Part 96 authorisation.

(2) The applicant referred to in subregulation (1) must undergo the skills test referred to in that subregulation within six months of passing the theoretical knowledge examination referred to in regulation 62.14.2 and within the 90 days immediately preceding the date of application.

Application for a Part 96 authorisation

62.14.5 (1) An application for the issuing of a Part 96 authorisation must:

- (a) be made to the Executive Director on the appropriate form set out in Document NAM-CATS-FCL 62; and
- (b) be accompanied by:
 - (i) the original or acceptable certified true copy of a valid Class 2 or Class 1 medical certificate issued in terms of Part 67;
 - (ii) original or acceptable certified evidence that the applicant has passed the theoretical knowledge examination referred to in regulation 62.14.2;
 - (iii) original or acceptable certified evidence that the applicant has the practical experience referred to in regulation 62.14.3;
 - (iv) the skills test report set out in Document NAM-CATS-FCL 62; and
 - (v) the appropriate fee as prescribed in Part 187.

(2) The Executive Director must issue a Part 96 authorisation to the applicant if the applicant complies with the requirements referred to in regulation 62.14.2.

(3) The Executive Director must issue Part 96 authorisation in the form determined by the Executive Director.

Period of validity

62.14.6 (1) A Part 96 authorisation is valid for an indefinite period unless suspended or revoked in terms of the Act.

(2) The holder of the Part 96 authorisation may not exercise the privileges of the authorisation, unless the holder:

- (a) holds a valid Class 2 or Class 1 medical certificate issued in terms of Part 67;
- (b) holds an appropriate valid category, class or type rating; and
- (c) complies with the provision of regulation 62.14.8.

Privileges of a Part 96 authorisation

62.14.7 (1) The holder of a Part 96 authorisation is entitled to:

- (a) exercise all the privileges of his or her recreational pilot licence; and
- (b) act as pilot-in-command for remuneration in Part 96 operations in any production-built aircraft, including a microlight or light sport aeroplane, or any gyroplane with a maximum all-up mass of 2 000 kg, for which he or she holds a valid category rating, class rating, or type rating.

(2) The holder of the recreational pilot licence is entitled to exercise the privileges of the authorisation for any of the special purposes for which he or she holds the appropriate valid rating.

Maintenance of competency

62.14.8 The holder of a Part 96 authorisation may not act as pilot-in-command in commercial air transport operations unless he or she complies with the recency requirements prescribed for his or her pilot licence and the category rating, class rating, or type rating of which he or she is the holder.

SUBPART 15: REQUIREMENTS FOR THE DESIGNATION OF EXAMINERS (DE)**Categories of designated examiners**

62.15.1 (1) Designation of examiners may be in one or more of the following categories:

- (a) conventional microlight aeroplane examiner;
- (b) weight-shift controlled microlight aeroplane examiner;
- (c) gyroplane examiner; and
- (d) light sport aeroplane examiner.

(2) The Executive Director may designate examiners in more than one of the aircraft categories, referred to in subregulation (1): Provided that applicants for designation meet the qualification and experience requirements set out in this Subpart for each of the aircraft categories for which designation is sought.

(3) To provide for exceptional circumstances, the Executive Director or the designated organisation, as the case may be, may on written application, approve a suitably qualified national of an appropriate authority to act as a foreign flight examiner, for a period not exceeding 90 days, for the purpose of renewals of class and initial type ratings, if there are no designated examiners who are Namibian citizens.

(4) The foreign flight examiner referred to in subregulation (3) must comply with the validation requirements of regulation 62.01.15 of the Regulations.

(5) The Executive Director or the designated organisation, as the case may be, must issue the designation referred to in subregulation (3) in writing, subject to the payment of the applicable fee as prescribed in Part 187.

(6) To be considered for the designation as an examiner an applicant must meet at least the following minimum experience and qualification levels:

- (a) hold the equivalent examiner designation, or qualifications prescribed in regulation 62.15.2 issued by the appropriate authority, acceptable to the Executive Director; or
- (b) hold at least a valid recreational pilot instructor rating Grade A or equivalent; and
- (c) have accumulated not less than 1 500 flying hours, of which at least:
 - (i) 1 000 hours must be flight time on category; and
 - (ii) 50 hours as pilot-in-command on type

Requirements

62.15.2 An applicant for designated examiner must:

- (a) be at least 21 years of age or older;
- (b) be currently active in the field of aviation for which the designation is sought; and
- (c) hold at least a valid recreational instructors rating Grade A in the category for which designated examiner status is sought for a minimum of five years; or
- (d) hold a Commercial Pilot Licence issued in terms of Part 61 with at least an Instructor Grade II rating;
- (e) have accumulated not less than 1 500 flying hours, of which at least 500 hours must be in the category for which designation is sought, and
- (f) have at least 50 hours as pilot-in-command on the type for which the designation is sought.

Application

62.15.3 (1) An application for designation as a designated examiner must be made to the Executive Director or to the designated organisation, as the case may be, on the form set out in Document NAM-CATS-FCL 62 and be accompanied by:

- (a) the original or certified copy of the two most recent pages of the applicant's flying logbook indicating flying experience;
 - (b) evidence of holding the required valid licence and rating;
 - (c) a complete summary of all flying experience and ratings;
 - (d) a letter to motivate the reasons why the applicant believes he or she should be considered for designation; and
 - (e) the applicable fee as prescribed in Part 187.
- (2) The Executive Director or the designated organisation, as the case may be, may designate a person as a designated examiner if the applicant:
- (a) meets the requirements prescribed in this Subpart;
 - (b) has a good record as a pilot and as flight instructor as far as safety and adherence to these regulations are concerned; and
 - (c) signs an undertaking to abide by the code of conduct for designated examiners as set out in Document NAM-CATS-FCL 62.
- (3) The designation as examiner must be issued by the Executive Director or the designated organisation, as the case may be, in the form as determined by the Executive Director, and must indicate the period for which the designation is valid, its category, and any endorsements, restrictions or limitations that may apply.
- (4) If designation is refused, the Executive Director or the designated organisation, as the case may be, must provide the applicant the reasons for the refusal in writing within 30 days.

Period of validity

62.15.4 Designation as examiner in terms of this Part is issued for a maximum period of 36 months from the date of appointment.

Re-designation

62.15.5 (1) Applications for re-designation must be made every 36 months on the form set out in Document NAM-CATS-FCL 62, to the Executive Director or the designated organisation, as the case may be, not less than 30 days prior to the beginning of the month in which the designation expires, and must be accompanied by the fee prescribed in Part 187.

(2) An application for re-designation or re-issue as designated examiner does not automatically entitle the applicant to continue to exercise the privileges of a designated examiner after the expiry date.

Designation, oversight, suspension and revocation

62.15.6 (1) A designated examiner is designated to conduct tests or checks on behalf of the Executive Director.

(2) The Executive Director or the designated organisation, as the case may be, must exercise oversight in respect of designated examiners for the purposes of maintenance of flight and safety standards.

(3) The Executive Director or the designated organisation, as the case may be, may suspend or revoke at any time a designation of a designated examiner where there is reasonable grounds to suspect misconduct, which could lead to the compromising of flight safety.

(4) The Executive Director or the designated organisation, as the case may be, must provide in writing reasons for the suspension or revocation of a designation referred to in subregulation (3).

Privileges and limitations

62.15.7 The Executive Director or the designated organisation, as the case may be, must determine the privileges and limitations of a designated examiner dependent upon the applicant's qualifications, recent and total flight experience and must indicate these privileges and limitations on the certificate issued.

SUBPART 16: REQUIREMENTS FOR THE ISSUE OF A CATEGORY, CLASS OR TYPE RATING BY NAME FOR LIGHT SPORT AEROPLANES

General

62.16.1 An applicant for the issuing of a type rating by name for light sport aeroplanes must:

- (a) hold at least a valid restricted certificate of proficiency in radiotelephony (aeronautical);
- (b) have acquired the experience referred to in regulation 62.16.2;
- (c) have successfully completed the training as set out in Document NAM-CATS-FCL 62;
- (d) have passed the theoretical knowledge examination referred to in regulation 62.16.3; and
- (e) have successfully passed the skills test referred to in regulation 62.16.4.

Experience

62.16.2 (1) An applicant for the issuing of a type rating by name for light sport aeroplanes must have completed not less than 35 hours flight time as a pilot of a light sport aeroplane, of which at least 15 hours must be solo flight time, and which must include:

- (a) one dual cross-country flight and one solo cross-country flight each of at least three legs and of a duration of not less than 90 minutes flown at normal cruising speed;
- (b) one dual cross-country flight of at least three legs and a duration of not less than 90 minutes flown at normal cruising speed and which includes a full-stop landing at a controlled airport other than the point of departure; and
- (c) three hours of dual and two hours of solo circuits and landings at a controlled airport.

(2) In the case of an applicant for a type rating who is the holder of a pilot licence issued in terms of Part 61, the hour requirements and the cross-country requirements referred to in paragraph (a) of subregulation (1) may be credited at the discretion of the person responsible for training at the approved ATO, and this discretion must be exercised lawfully.

(3) In the case of an applicant who is the holder of a recreational pilot licence with a category rating for gyroplanes or microlight aeroplanes, the cross-country requirements referred to in paragraph (a) of subregulation (1) may be credited at the discretion of the person responsible for training at the approved ATO, and this discretion must be exercised lawfully.

Theoretical knowledge examination

62.16.3 (1) An applicant for the issuing of a type rating by name for light sport aeroplanes must have passed the appropriate written examination as set out in Document NAM-CATS-FCL 62.

(2) In the case of an applicant for the issuing of a type rating and who is the holder of a pilot licence issued in terms of Part 61 the applicant may be given credit for any theory at the discretion of the person responsible for training at the approved ATO, and this discretion must be exercised lawfully.

(3) In the case of an applicant for the issuing of a type rating and who is the holder of a recreational pilot licence endorsed for the category microlight aeroplanes or gyrocopters, the applicant may be given credit for any theory at the discretion of the person responsible for training at the approved ATO and this discretion must be exercised lawfully: Provided that the “principles of flight” and “air law” theoretical knowledge examinations must be written.

Skills test

62.16.4 (1) An applicant for the issuing of an initial type rating by name for light sport aeroplanes must have demonstrated to the holder of a Grade B or Grade A light sport aeroplane flight instructor rating, or a flight instructor appropriately rated in terms of Part 61, the ability to perform, as pilot-in-command of a light sport aeroplane, the procedures and manoeuvres as set out in Document NAM-CATS-FCL 62, with a degree of competency appropriate to the privileges granted to the holder of a recreational pilot licence.

(2) The applicant must undergo the skills test referred to in subregulation (1) within the 12 months of passing the theoretical knowledge examination referred to in regulation 62.16.3 and within the 60 days immediately preceding the date of application.

Crediting of flight time

62.16.5 The holder of a glider pilot licence, or of a recreational pilot licence endorsed for the category microlight aeroplane or gyroplane, is entitled to be credited with not more than 25 hours of flight time acquired in a glider, microlight aeroplane or gyroplane, as the case may be, towards the total flight time experience prescribed for the issuing of a recreational pilot licence endorsed for the category light sport aeroplane.

Additional type ratings by name for light sport aeroplanes

62.16.6 An applicant for the issue of an additional type rating by name for light sport aeroplanes must:

- (a) undergo a skills test with a Grade C-, B- or A-instructor or designated examiner with the appropriate type rating as set out in Document NAM-CATS-FCL 62; and
- (b) pass the technical exams as set out in Document NAM-CATS-FCL 62.

Application

62.16.7 (1) An application for the issuing of type rating by name for light sport aeroplanes must:

- (a) be made to the Executive Director or to the designated organisation, as the case may be, on the appropriate form as set out in Document NAM-CATS-FCL 62; and
- (b) be accompanied by:
 - (i) a valid application for the issue of such licence;
 - (ii) acceptable certified evidence that the requirements prescribed in regulation 62.16.1 or 62.16.5 if applicable, have been complied with; and
 - (iii) the appropriate fee as prescribed in terms of Part 187 or by the designated organisation, as the case may be: Provided that the fees set by the designated organisation may not exceed those prescribed in Part 187.

(2) The Executive Director or the designated organisation, as the case may be, must issue a type rating by name for light sport aeroplanes if the applicant complies with the requirements referred to in regulation 62.16.1.

(3) A type rating by name for light sport aeroplanes referred to in this regulation must be issued in the form determined by the Executive Director.

Period of validity

62.16.8 (1) A type rating by name for light sport aeroplanes is valid for as long as the recreational pilot licence itself remains valid or unless the licence revoked or suspended in terms of the Act.

(2) The holder of the recreational pilot licence may not exercise the privileges of the type rating unless he or she complies with the provisions of regulation 62.16.10.

Privileges and limitations

62.16.9 (1) The holder of a type rating by name for light sport aeroplanes is entitled to act as pilot-in-command of the light sport aeroplane for which he or she is rated by name: Provided that the light sport aeroplane is not operated for the provision of an air service:

- (a) within Class F and Class G airspace; and
- (b) within controlled airspace, unless:
 - (i) prior permission has been obtained from the responsible air traffic service unit to enter such airspace;
 - (ii) such two-way radio communication as the said unit may require, is established;
 - (iii) continuous radio watch is maintained; and
 - (iv) while within an aerodrome traffic zone, the appropriate radio position reporting procedure is complied with.

(2) The holder of a type rating by name for light sport aeroplanes may exercise the privileges of his or her rating for remuneration in an aircraft operated in terms of Part 96, provided he or she is the holder of a valid Part 96 authorisation issued in terms of Subpart 14 of this Part.

Maintenance of competency

62.16.10 The holder of a type rating by name for light sport aeroplanes may not act as pilot-in-command of a light sport aeroplane unless he or she:

- (a) has acted as pilot-in-command of a light sport aeroplane for a minimum of five hours in the 12 months immediately preceding the intended flight and such minimum flight time may include flights undertaken by the pilot whilst receiving training appropriate to the type of light sport aeroplane; or
- (b) has passed a skills test with an appropriately-rated flight instructor within the three months immediately preceding the intended flight; and
- (c) if transporting a passenger, has within the 90 days immediately preceding the flight on which such passenger is to be transported, as pilot-in-command executed not less than three take-offs and three landings in a light sport aeroplane.”.

Substitution of Parts 63, 64, 65, 66 and 67 of the Regulations

9. The Regulations are amended by the substitution for Parts 63, 64, 65, 66, and 67 of the following Parts:

“PART 63:**FLIGHT ENGINEER LICENSING****SUBPART 1: GENERAL**

- 63.01.1 Applicability
- 63.01.2 Authority to act as flight engineer of Namibian aircraft
- 63.01.3 Validation of foreign flight engineer licence issued by appropriate authority
- 63.01.4 Competency
- 63.01.5 Documentation
- 63.01.6 Logbooks
- 63.01.7 Medical fitness
- 63.01.8 Ratings for flight engineers and flight engineer instructors
- 63.01.9 Type ratings
- 63.01.10 Ratings for special purposes
- 63.01.11 Register of licences
- 63.01.12 Language
- 63.01.13 Retesting after failure
- 63.01.14 Designation of examiner
- 63.01.15 Training
- 63.01.16 Credit for military service
- 63.01.17 Conversion of flight engineer licence issued by appropriate authority
- 63.01.18 Change of name or address
- 63.01.19 Duplicate flight engineer licence
- 63.01.20 Duties of flight engineer
- 63.01.21 Unauthorised conduct during theoretical examinations

SUBPART 2: FLIGHT ENGINEER LICENCE

- 63.02.1 Requirements for flight engineer licence
- 63.02.2 Experience
- 63.02.3 Training
- 63.02.4 Theoretical knowledge examination
- 63.02.5 Skills test
- 63.02.6 Application for flight engineer licence
- 63.02.7 Issuing of flight engineer licence
- 63.02.8 Period of validity
- 63.02.9 Privileges

SUBPART 3: TYPE RATING

- 63.03.1 Requirements for type rating
- 63.03.2 Training
- 63.03.3 Theoretical knowledge examination
- 63.03.4 Skills test
- 63.03.5 Temporary certificate of competency
- 63.03.6 Application for type rating
- 63.03.7 Issuing of type rating
- 63.03.8 Period of validity

- 63.03.9 Privileges
- 63.03.10 Renewal
- 63.03.11 Re-issue

SUBPART 4: GRADE I FLIGHT ENGINEER INSTRUCTOR RATING

- 63.04.1 Requirements for Grade I flight engineer instructor rating
- 63.04.2 Experience
- 63.04.3 Skills test
- 63.04.4 Application for Grade I flight engineer instructor rating
- 63.04.5 Issuing of Grade I flight engineer instructor rating
- 63.04.6 Period of validity
- 63.04.7 Privileges
- 63.04.8 Renewal
- 63.04.9 Re-issue

SUBPART 5: GRADE II FLIGHT ENGINEER INSTRUCTOR RATING

- 63.05.1 Requirements for Grade II flight engineer instructor rating
- 63.05.2 Experience
- 63.05.3 Training
- 63.05.4 Theoretical knowledge examination
- 63.05.5 Skills test
- 63.05.6 Application for Grade II flight engineer instructor rating
- 63.05.7 Issuing of Grade II flight engineer instructor rating
- 63.05.8 Period of validity
- 63.05.9 Privileges
- 63.05.10 Renewal
- 63.05.11 Re-issue

SUBPART 1 GENERAL**Applicability**

63.01.1 (1) This Part prescribes the requirements relating to the:

- (a) the issuing, renewal and re-issuing of flight engineer licences and ratings for Namibian flight engineers;
- (b) the validation of foreign flight engineer licences and ratings; and
- (c) designation of examiners for the purposes of skills tests required for flight engineer licences and ratings.

(2) In this Part any requirements for the issuing of, the holding of an aviation document issued in terms of this Part are subject to, and must be read in conjunction with, the requirements in the Act and technical standards relating to aviation documents.

Authority to act as flight engineer of Namibian aircraft

63.01.2 (1) A person may not act as a flight engineer of a Namibian aircraft unless such person holds a valid:

- (a) flight engineer licence and rating issued, renewed and re-issued by the Executive Director in terms of this Part; or
- (b) flight engineer licence and rating issued by an appropriate authority and validated by the Executive Director in terms of this Part.

(2) The holder of a flight engineer licence may not exercise privileges other than the privileges granted by the licence and the appropriate rating held by the holder.

(3) The holder of a flight engineer licence must pay the annual currency fee as prescribed in Part 187 applicable to the type of licence on the anniversary date of such licence.

Validation of foreign flight engineer licence issued by appropriate authority

63.01.3 (1) The holder of a foreign flight engineer licence and rating, issued by an appropriate authority, who wishes to act as a flight engineer on a Namibian aircraft must apply to the Executive Director in the appropriate form determined by the Executive Director for the validation of the foreign flight engineer licence and rating.

(2) Before the Executive Director validates a foreign flight engineer licence or rating for commercial purposes the Executive Director must confirm the validity of the foreign licence or rating with the appropriate authority.

(3) The application for a validation referred to in subregulation (1) must be accompanied by:

- (a) the appropriate fee as prescribed in Part 187;
- (b) a certified true copy of the licence and rating to which the validation pertains;

- (c) a valid foreign medical certificate; and
 - (d) in the case of a validation of a licence and rating, the privileges which are to be exercised for commercial purposes, a letter of appointment from an employer who requires the services of the applicant.
- (4) A foreign flight engineer licence and rating issued by an appropriate authority must be validated by the Executive Director:
- (a) subject to the same restrictions which apply to such licence and rating;
 - (b) in accordance with and subject to the requirements set out in Document NAM-CATS-FCL 63; and
 - (c) If the applicant for a validation of a foreign flight engineer licence and rating complies with:
 - (i) the requirements of subregulation (2) and (3); and
 - (ii) the provisions of section 68 and 69 of the Act,

the Executive Director must issue a validation of a licence or rating in the form determined by the Executive Director.

(5) A validation of a license or rating issued by the Executive Director in terms of this regulation is deemed to be an aviation document for the purposes of the Act.

- (6) The validation issued by the Executive Director in terms of this regulation is valid:
- (a) for 12 months calculated from the date of issue of such validation by the Executive Director;
 - (b) for the period of validity of the licence and rating issued by the appropriate authority concerned; or
 - (c) unless revoked or suspended in terms of the Act,

whichever occurs earlier.

(7) The holder of a valid licence and a rating validated in terms of this regulation may apply to the Executive Director for the renewal of such validation at least 21 days immediately preceding the date of expiry of such validation.

(8) The Executive Director may renew a validation of a licence and rating issued in terms of this regulation in accordance with this Part and Document NAM-CATS 63.

(9) The holder of a valid a licence or a rating validated by the Executive Director in terms of this regulation must comply with the provisions prescribed in this Part and the requirements set out in Document NAM-CATS 63.

(10) Despite subregulation (1), the Executive Director may validate a licence and rating issued by an appropriate authority, to authorise the holder to conduct training on a particular type of aircraft to which the rating pertains, if a holder of a Grade I flight instructor rating is not available in Namibia to conduct such training.

Competency

63.01.4 (1) A holder of a flight engineer licence and rating may not exercise the privileges granted by the licence and rating unless the holder maintains competency by complying with the appropriate requirements prescribed in this Part.

(2) The holder of a flight engineer licence and rating must submit copies of all documentation relating to continued maintenance of competency to the Executive Director within seven days after compliance with the applicable requirements prescribed in this Part.

Documentation

63.01.5 The Executive Director must ensure that a flight engineer licence and rating is issued in such a manner that the appropriate authority may readily determine the validity of the licence and rating.

Logbooks

63.01.6 (1) The holder of a flight engineer licence must maintain a logbook and must record in the logbook all flight time spent as a flight engineer.

(2) The information to be contained in a logbook as well as the form and manner of keeping the logbook referred to in subregulation (1) is set out in Document NAM-CATS 63.

Medical fitness

63.01.7 An applicant for a flight engineer licence or a holder of a flight engineer licence must obtain a Class 2 medical certificate issued in terms of Part 67.

Ratings for flight engineers and flight engineer instructors

63.01.8 The ratings for flight engineers and flight engineer instructors are:

- (a) a type rating; and
- (b) a rating for special purposes.

Type ratings

63.01.9 Type ratings for aircraft comprise:

- (a) a rating by name for each type of aircraft of which the design necessitates the carriage of a flight engineer; and
- (b) a rating by name for each type of engine.

Rating for special purposes

63.01.10 The ratings for special purposes comprise:

- (a) Grade I flight engineer instructor rating; and
- (b) Grade II flight engineer instructor rating.

Register of licences

63.01.11 (1) The Executive Director must maintain in the Civil Aviation Registry a register of all flight engineer licences and ratings issued or validated in terms of this Part.

(2) The register referred to in subregulation (1) must contain the following particulars:

- (a) The full name of the holder of the licence;
- (b) the postal address of the holder of the licence;
- (c) the date on which the licence was issued or validated;
- (d) particulars of the ratings held by the holder of the licence; and
- (e) the nationality of the holder of the licence.

(3) The Executive Director must record or ensure the recording of particulars referred to in subregulation (2) in the register referred to in subregulation (1) within seven days from the date on which the licence or rating is issued or validated by the Executive Director.

(4) The Executive Director must keep the register referred to subregulation (1) at the office of the Executive Director.

(5) The Executive Director must provide access to the particulars referred to in subregulation (2) in accordance with the provisions of section 52 of the Act.

Language

63.01.12 (1) The holder of a flight engineer licence issued under this part must have sufficient ability in reading, speaking and understanding the English language to enable the holder to adequately carry out his or her responsibilities as a flight engineer.

(2) The Executive Director may not issue a flight engineer licence to a person who is required to operate the radio equipment on board the aircraft unless that person has demonstrated the appropriate English Language Proficiency set out in Document NAM-CATS 63.

Retesting after failure

63.01.13 An applicant, for the issuing of a flight engineer licence or rating, who fails a theoretical knowledge examination required for such licence or rating may apply for retesting after the appropriate period set out in Document NAM-CATS Part 63.

Designation of examiner

63.01.14 (1) The Executive Director may designate an examiner to:

- (a) conduct skills tests and to complete skills test reports required for the issuing and reissuing of flight engineer licences and type ratings; and
- (b) conduct skills tests and to complete skills test reports required for the issuing and reissuing of flight engineer instructor ratings.

(2) The privileges referred to in subregulation (1) must be exercised and performed according to the requirements set out in Document NAM-CATS 63.

(3) A person who wishes to be designated as an examiner for the purposes stated in subregulation (1) must apply for designation to the Executive Director.

(4) The application referred to in subregulation (3) must be accompanied by:

- (a) details of the licence and ratings to which the application applies; and
- (b) the appropriate fee as prescribed in Part 187.

(5) If the Executive Director is satisfied that:

- (a) the applicant for designation in terms of this regulation complies with the requirements referred to in subregulation (2) and (3);
- (b) the applicant is a fit and proper person within the meaning of section 69 of the Act,

the Executive Director must approve the application.

(6) On approving the application for designation as an examiner the Executive Director must sign and issue to the applicant a document which state the full name of the examiner and the document must contain a statement that:

- (a) the examiner has been designated in terms of subregulation (1); and
- (b) the examiner is authorised to exercise the privileges referred to in subregulation (1).

(7) A designation of an examiner issued by the Executive Director in terms of this regulation is deemed to be an aviation document for the purposes of the Act.

(8) An inspector must annually conduct surveillance over the activities of an examiner designated in terms of this Part and as set out in Document NAM-CATS 63.

Training

63.01.15 Training as required by this Part may only be provided by the holder of an approval issued in terms of Part 141 by an approved ATO or a foreign aviation training organisation of a Contracting State approved by the Executive Director in accordance with Part 141.

Credit for military service

63.01.16 (1) Flight engineers qualified as flight engineers in the Namibian Air Force, may apply to the Executive Director for the issuing of a flight engineer licence and rating prescribed in this Part.

(2) An application referred to in subregulation (1) must be:

- (a) made in the appropriate form set out in Document NAM-CATS 63;
- (b) accompanied by:
 - (i) the original or certified evidence of the identity and age of the applicant and indicating his or her employment in the Namibian Air Force;
 - (ii) a valid Class 1 medical certificate issued in terms of Part 67;

- (iii) a document showing that the applicant has passed the theoretical knowledge examination or part of the examination, if the passing of such theoretical knowledge examination or part of the examination is required;
- (iv) two recent passport size photographs of the applicant; and
- (v) the appropriate fee as prescribed in Part 187.

(3) For the purpose of issuing a flight engineer licence and rating, the Executive Director may in terms NAM-CATS Part 63 credit the theoretical knowledge, experience and skills or part of the knowledge, experience and skills gained in military service.

(4) A flight engineer license or rating issued by the Executive Director in terms of this regulation is deemed to be an aviation document for the purposes of the Act.

Conversion of flight engineer licence issued by appropriate authority

63.01.17 (1) The holder of a flight engineer licence and rating issued by an appropriate authority may apply to the Executive Director for a conversion of the licence and rating.

- (2) An application for the conversion of the licence and rating must be:
 - (a) made in the appropriate form set out in Document NAM-CATS 63; and
 - (b) accompanied by:
 - (i) a copy of the flight engineer licence and rating to which the conversion pertains;
 - (ii) an appropriate valid medical certificate; and
 - (iii) the appropriate fee as prescribed in Part 187.
- (3) If the Executive Director is satisfied that:
 - (a) the applicant for conversion of a licence or rating in terms of this regulation complies with the requirements of this regulation;
 - (b) the applicant is a fit and proper person within the meaning of section 69 of the Act; and
 - (c) the applicant complies with the other requirements referred to in section 68 of the Act,

the Executive Director may convert the licence and rating.

(4) The Executive Director must convert the license and rating in terms of this regulation on the appropriate form determined by the Executive Director.

(5) A license or rating converted by the Executive Director in terms of this regulation is deemed to be an aviation document for the purposes of the Act.

Change of name or address

63.01.18 (1) If a flight engineer licence and rating issued in terms of this Part:

- (a) does not correctly reflect the name or address of the holder; or
- (b) contains a photograph which is no longer a recognisable image of the holder,

the holder of the licence or rating must apply, to the Executive Director for the issuing of a new licence and rating, within 30 days from the day on which such name or address was changed or such photograph became an unrecognisable image.

(2) An application for the issuing of a new licence and rating in terms of this regulation must be:

- (a) made in the appropriate form set out in Document NAM-CATS 63; and
- (b) accompanied by:
 - (i) the original licence and rating;
 - (ii) in the case of a change of name, a copy of a certificate issued in terms of the Births, Marriages and Deaths Registration Act, 1963 (Act No. 81 of 1963), a court order or any other legal document which verifies the change of name;
 - (iii) two recent passport size photographs of the applicant; and
 - (iv) the appropriate fee as prescribed in Part 187.
- (3) The Executive Director must:
 - (a) issue a new licence and rating in terms of this Part, if the applicant complies with the requirements referred to in subregulation (2); and
 - (b) cancel and destroy the original licence and rating.

(4) Upon the issuing of a new licence in terms of this regulation the holder of the licence or rating, the holder of the licence or rating must immediately affix his or her signature in ink in the space provided for that purpose on the new licence and rating.

Duplicate flight engineer licence

63.01.19 (1) The holder of a flight engineer licence and rating which has been lost, destroyed or defaced to such an extent that the particulars on it are illegible, must apply to the Executive Director for the issuing of a duplicate licence and rating.

- (2) An application for the issuing of a duplicate licence and rating must be:
 - (a) made in the appropriate form set out in Document NAM-CATS 63; and
 - (b) accompanied by:
 - (i) a valid Class 2 medical certificate issued in terms of Part 67;
 - (ii) two recent passport size photographs of the applicant; and

(iii) the appropriate fee as prescribed in Part 187.

(3) The Executive Director must:

- (a) issue a duplicate licence and rating if the applicant complies with the requirements referred to in subregulation (2); and
- (b) endorse the duplicate licence and rating with the word “DUPLICATE” on the licence.

(4) Upon the issuing of a duplicate licence in terms of this regulation the holder of the licence must immediately affix his or her signature in ink in the space provided for that purpose on the duplicate licence.

(5) If the original licence and rating is found after the issuing of a duplicate licence and rating in terms of this regulation, the holder of the duplicate licence and rating must immediately surrender original licence and rating to the Executive Director.

Duties of flight engineer

63.01.20 A flight engineer must:

- (a) carry the flight engineer licence and rating issued to him or her, on his or her person when exercising the privileges of the licence and rating;
- (b) produce the flight engineer licence and rating to an authorised officer, inspector or authorised person if so requested by such officer, inspector or person; and
- (c) produce the flight engineer licence and rating to the authorised representative of an appropriate authority if so requested by the representative.

Unauthorised conduct during theoretical examinations

63.01.21 (1) A person may not provide another person with, or obtain from another person, any examination paper for theoretical examination for the purposes of this Part, or part or copy of an examination, unless authorised by the Executive Director to do so.

(2) During any theoretical examination under this Part, a person may not:

- (a) copy from another person;
- (b) use any unauthorised source of information;
- (c) communicate in any way with another person, except the invigilator;
- (d) take the examination on behalf of another person; or
- (e) remove any written or printed material from the examination room, unless authorised by the Executive Director to do so.

(3) Any unauthorised conduct referred to in subregulation (1) and (2) may result in:

- (a) disqualification in the subject concerned;
- (b) disqualification in any or all subjects already passed; or

- (c) disbarment from taking further examinations for a period not exceeding 12 months.

SUBPART 2: FLIGHT ENGINEER LICENCE

Requirements for flight engineer licence

63.02.1 An applicant for the issuing of a flight engineer licence must:

- (a) be 18 years of age or older;
- (b) in the case of a flight engineer who is required to conduct radio telephony, comply with the requirements for the issue of a general radio licence as contained in Part 61 and must also be a holder of an English Language Proficiency certification set out in Document NAM-CATS 63;
- (c) hold a valid Class 2 medical certificate issued in terms of Part 67;
- (d) have acquired the experience referred to in regulation 63.02.2;
- (e) have successfully completed the training referred to in regulation 63.02.3;
- (f) have passed the theoretical knowledge examination referred to in regulation 63.02.4;
- (g) have undergone the skills test referred to in regulation 63.02.5; and
- (h) have acquired or be a holder of:
 - (i) not less than three years practical aeronautical engineering experience of which not less than one year must have been obtained on a multi-engine aircraft with a maximum certificated mass exceeding 11 400 kilograms;
 - (ii) a Bachelor of Science Aeronautical Engineering degree as approved by the Authority;
 - (iii) a valid commercial pilot licence with a valid instrument rating; or
 - (iv) a valid airline transport pilot licence.

Experience

63.02.2 (1) An applicant for a flight engineer licence must have completed, under the supervision of the holder of a flight engineer instructor rating, not less than 100 hours of flight time performing the duties of a flight engineer, of which 50 hours may be acquired in an approved FSTD.

(2) The applicant for a flight engineer licence must have operational experience under the supervision of a licenced flight engineer that includes at least the following:

- (a) normal procedures:
 - (i) pre-flight inspections;
 - (ii) fuelling procedures and fuel management;
 - (iii) inspection of maintenance documents;

- (iv) normal flight deck procedures during all phases of flight;
 - (v) crew coordination and procedures in case of crew incapacitation; and
 - (vi) defect reporting;
- (b) abnormal and alternate standby procedures:
 - (i) recognition of abnormal functioning of aircraft systems; and
 - (ii) use of abnormal and alternate standby procedures;
- (c) emergency procedures:
 - (i) recognition of emergency conditions; and
 - (ii) use of appropriate emergency procedures.

Training

63.02.3 An applicant for a flight engineer licence must have successfully completed the appropriate training set out in Document NAM-CATS 63.

Theoretical knowledge examination

63.02.4 An applicant for a flight engineer licence must have passed the appropriate theoretical examination set out Document NAM-CATS 63.

Skills test

63.02.5 (1) An applicant for a flight engineer licence must demonstrate the ability to perform as flight engineer of an aircraft the duties and procedures set out in Document NAM-CATS 63 with a degree of competency appropriate to the privileges granted to the holder of a flight engineer licence, to:

- (a) to the holder of a Grade I flight engineer instructor rating; or
- (b) an appropriately type rated designated flight examiner.

(2) The demonstration referred to in subregulation (1) may be conducted in a flight simulation training device approved for this purpose.

(3) The applicant for a flight engineer licence must undergo the demonstration referred to in subregulation (1) within 24 months of passing the theoretical knowledge examination referred to in regulation 63.02.4 and within the 90 days immediately preceding the date of application.

Application for flight engineer licence

63.02.6 An application for a flight engineer licence must be:

- (a) made to the Executive Director in the appropriate form determined by the Executive Director; and

- (b) accompanied by:
 - (i) original or certified evidence of the identity and age of the applicant;
 - (ii) a valid Class 2 medical certificate issued in terms of Part 67;
 - (iii) the general radiotelephony certificate and English Language Proficiency certification set out in Document NAM-CATS-FCL-63;
 - (iv) original or certified evidence that the applicant has passed the theoretical knowledge examination referred to in regulation 63.02.4;
 - (v) the skills test report set out in Document NAM-CATS 63;
 - (vi) the valid commercial pilot licence, airline transport pilot licence, proof of the practical aeronautical engineering experience or a Bachelor of Science Aeronautical Engineering degree, as the case may be, held or obtained by the applicant;
 - (vii) the appropriate fee as prescribed in Part 187; and
 - (viii) two recent passport size photographs of the applicant.

Issuing of flight engineer licence

63.02.7 (1) The Executive Director must issue a flight engineer licence if the applicant complies with:

- (a) the requirements of this regulation;
- (b) fit and proper person requirement within the meaning of section 69 of the Act; and
- (c) other requirements of section 68 of the Act.

(2) The Executive Director must issue the flight engineer licence on the appropriate form determined by the Executive Director.

(3) Upon the issuing of a flight engineer licence the holder of the licence must immediately affix his or her signature in ink in the space provided for that purpose on the licence.

(4) A license issued by the Executive Director in accordance with this regulation is deemed to be an aviation document for the purposes of the Act.

Period of validity

63.02.8 A flight engineer licence is valid for an indefinite period unless suspended or revoked in terms of the Act.

Privileges

63.02.9 The holder of a valid flight engineer licence is entitled to act as a flight engineer:

- (a) in any aircraft in respect of which he or she is the holder of a type rating; or

- (b) in an aircraft of a type other than that in respect of which he or she is the holder of a type rating:
 - (i) if he or she so acts under the direct supervision of the holder of a flight engineer licence with a type rating appropriate to that aircraft; or
 - (ii) if he or she acts in an aircraft on which a flight engineer is not required, under the direct supervision of the pilot-in-command of that aircraft.

SUBPART 3: TYPE RATING

Requirements for type rating

- 63.03.1** (1) An applicant for the issuing of a type rating must:
- (a) have successfully completed the training referred to in regulation 63.03.2;
 - (b) have passed the theoretical knowledge examination referred to in regulation 63.03.3;
 - (c) have undergone the skill test referred to in regulation 63.03.4; and
 - (d) have complied with the requirements for a flight engineer licence referred to in regulation 63.02.1.
- (2) An applicant for the issuing of any additional type rating must:
- (a) hold a valid flight engineer licence;
 - (b) comply with the requirements prescribed in regulation 63.03.3;
 - (c) submit to the Executive Director his or her logbook or a certificate signed by the holder of a Grade I flight engineer instructor rating and showing that he or she has completed during the 12 months immediately preceding the date of application, not less than 50 hours of flight time in the performance of the duties of a flight engineer on board the type of aircraft to which the application relates or on board an aircraft with similar characteristics; and
 - (d) have undergone the skills test referred to in regulation 63.03.4, in the type of aircraft to which the application relates.

Training

63.03.2 An applicant for the issuing of a type rating must have successfully completed the appropriate training set out in Document NAM-CATS 63.

Theoretical knowledge examination

63.03.3 An applicant for the issuing of a type rating must have passed the appropriate written examination set out in Document NAM-CATS 63.

Skills test

63.03.4 An applicant for the issuing of a type rating must demonstrate to the holder of a Grade I flight engineer instructor rating the ability to perform the procedures and manoeuvres, set out in Document NAM-CATS 63 with a degree of competency appropriate to the privileges granted to the holder of such type rating.

Temporary certificate of competency

63.03.5 The holder of a Grade I flight engineer instructor rating may issue the applicant for the issuing of a type rating with a temporary certificate of competency which permits the applicant to exercise the privileges of such type rating for a period of 30 days calculated from the date of issue of such temporary certificate.

Application for type rating

63.03.6 An application for the issuing of a type rating must be:

- (a) made to the Executive Director in the appropriate form set out in Document NAM-CATS 63; and
- (b) accompanied by:
 - (i) original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 63.03.3;
 - (ii) the skills test report set out in Document NAM-CATS 63; and
 - (iii) the appropriate fee as prescribed in Part 187.

Issuing of type rating

63.03.7 (1) The Executive Director must issue a type rating if the applicant complies with the requirements referred to in regulation 63.03.1.

(2) A type rating must be issued in the appropriate form determined by the Executive Director.

Period of validity

63.03.8 A type rating is valid:

- (a) for a period of 12 months calculated from the date of issue or re-issue of the rating or from the date of expiry of the rating if such rating is renewed in accordance with the provisions of regulation 63.03.10; or
 - (b) unless revoked or suspended in terms of the Act,
- whichever occurs earlier.

Privileges

63.03.9 Subject to the provisions of the Act the holder of a valid type rating is entitled to act as a flight engineer in the type of aircraft for which the holder is rated.

Renewal

63.03.10 (1) To renew a type rating, the holder of the rating must:

- (a) within the 12 months immediately preceding the date of expiry of such rating, have completed not less than 50 hours of flight time as flight engineer of an aircraft for which the holder is type rated; or
- (b) within the 90 days immediately preceding the date of expiry of such rating, have undergone a proficiency check set out in Document NAM-CATS 63, conducted by the holder of a Grade I flight engineer instructor rating.

(2) Upon compliance by the holder of a rating with the requirements of subregulation (1)(a) or (b), the holder of a Grade I flight engineer instructor rating must:

- (a) provide the Executive Director with the appropriate certificate of competency set out in Document NAM-CATS 63;
- (b) sign the appropriate page of the licence of such holder; and
- (c) endorse the logbook of such holder.

(2) If the result of the proficiency check referred to in subregulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in regulation 63.03.9, the holder of the Grade I flight engineer instructor rating must:

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

Re-issue

63.03.11 (1) To be re-issued with a type rating which has expired due to the lapse of the period referred to in regulation 63.03.8, the holder of such expired rating must:

- (a) within the 12 months immediately preceding the date of application, have completed not less than eight hours of flight time as flight engineer under the supervision of the holder of a flight engineer rating; and
- (b) demonstrate to a designated examiner the procedures and manoeuvres referred to in regulation 63.03.4 within 90 days preceding the date of application.

(2) Upon compliance with the requirements prescribed in subregulation (1)(a) and (b) by the holder of the expired rating, the relevant designated examiner must:

- (a) provide the Executive Director with the skills test report set out in Document NAM-CATS 63;
- (b) sign the appropriate page of the licence of such holder; and
- (c) endorse the logbook of such holder.

(3) If the result of the test referred to in subregulation (1) reveal that the holder of the expired rating has failed to maintain the minimum standard required to exercise the privileges referred to in regulation 63.03.9, the designated examiner must:

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

SUBPART 4: GRADE I FLIGHT ENGINEER INSTRUCTOR RATING

Requirements for Grade I flight engineer instructor rating

63.04.1 An applicant for the issuing of a Grade I flight engineer instructor rating must:

- (a) hold a valid flight engineer licence, a type rating and a Grade II flight engineer instructor rating;
- (b) have acquired the experience referred to in regulation 63.04.2; and
- (c) have undergone the skill test referred to in regulation 63.04.3.

Experience

63.04.2 An applicant for the issuing of a Grade I flight engineer instructor rating must have at least three years experience as a Grade II flight engineer instructor during which he or she must have given not less than 500 hours of flight engineer instruction.

Skills test

63.04.3 (1) An applicant for the issuing of a Grade I flight engineer instructor rating must demonstrate to a designated examiner the ability to perform the procedures set out in Document NAM-CATS 63 with a degree of competency appropriate to the privileges granted to the holder of a Grade I flight engineer instructor rating.

(2) The applicant referred to in subregulation (1) must undergo the skills test referred to in that subregulation within the 90 days immediately preceding the date of application.

Application for Grade I flight engineer instructor rating

63.04.4 An application for a Grade I flight engineer instructor rating must be:

- (a) made to the Executive Director in the appropriate form determined by the Executive Director;
- (b) accompanied by:
 - (i) the skills test report set out in Document NAM-CATS 63;
 - (ii) the flight engineer licence, type rating and Grade II flight engineer instructor rating of the applicant; and
 - (iii) the appropriate fee as prescribed in Part 187.

Issuing of Grade I flight engineer instructor rating

63.04.5 (1) The Executive Director must issue a Grade I flight engineer instructor rating if the applicant complies with the requirements referred to in regulation 63.04.1.

(2) The Executive Director must issue the Grade I flight engineer instructor rating in the appropriate form determined by the Executive Director.

Period of validity

63.04.6 A Grade I flight engineer instructor rating is valid:

- (a) for a period of three years calculated from the date of issue or re-issue of the rating or from the date of expiry of the rating if such rating is renewed in accordance with the provisions of regulation 63.04.8; or
- (b) unless revoked or suspended in terms of the Act,

whichever occurs earlier.

Privileges

63.04.7 (1) Subject to the provisions of the Act, the holder of a valid Grade I flight engineer instructor rating may exercise the privileges of such rating in the type of aircraft for which the holder is rated.

- (2) The holder of a valid Grade I flight engineer instructor rating:
 - (a) may give flight engineer instruction for the issuing of a flight engineer licence or type rating; and
 - (b) may assess any applicant for the issuing of a flight engineer licence or type rating and complete the appropriate skills test report and certificate of competency.

Renewal

63.04.8 (1) To renew a Grade I flight engineer instructor rating the holder of the rating must within the 90 days immediately preceding the date of expiry of such rating comply with any two of the following requirements:

- (a) give not less than 50 hours flight engineer instruction within the three years preceding the date of expiry, of which not less than 30 hours must be given within the 12 months immediately preceding the date of expiry of such rating;
- (b) attend a flight engineer instructor refresher seminar set out in Document NAM-CATS 63;
- (c) undergo the skills test referred to in regulation 63.04.3.

(2) Upon compliance with the requirements referred to in subregulation (1)(a) and (b) by the holder of the rating, the designated examiner must:

- (a) provide the Executive Director with the skills test report set out in Document NAM-CATS 63;
- (b) sign the appropriate page of the licence of such holder; and
- (c) endorse the logbook of such holder.

(3) If the result of the test contemplated in subregulation (1) reveal that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in regulation 63.04.7, the designated examiner must:

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

Re-issue

63.04.9 (1) The holder of a Grade I flight engineer instructor rating which has expired due to the lapse of the period referred to in regulation 63.04.8 may, before a further period of 60 months calculated from the date of expiry of the rating has lapsed, apply for the reissuing of the expired rating.

(2) The Executive Director must re-issue the rating referred to in subregulation (1) if the applicant has:

- (a) complied with the requirements for the re-issue of an expired Grade I flight engineer instructor rating prescribed in subregulation (1);
- (b) given not less than 50 hours flight engineer instruction as the holder of a Grade II flight engineer instructor rating re-issued in terms of regulation 63.05.11; and
- (c) undergone the skills test referred to in regulation 63.04.3.

(3) An application for the reissuing of the expired rating must be accompanied by:

- (a) the Grade II flight engineer instructor rating re-issued in terms of regulation 63.05.11;
- (b) a copy of the relevant page of the logbook of the applicant;
- (c) the skills test report set out in Document NAM-CATS 63; and
- (d) the appropriate fee as prescribed in Part 187.

(4) If a period of 60 months has lapsed after the date of expiry of the rating the holder of the expired rating may apply to the Executive Director for the re-issuing of the rating.

(5) The Executive Director must re-issue the rating referred to in subregulation (4) if the applicant complies with the requirements for a Grade I flight engineer instructor rating referred to in regulation 63.04.1.

(6) The provisions of regulation 63.04.4 apply with changes required by the context to an application referred to in this regulation.

SUBPART 5: GRADE II FLIGHT ENGINEER INSTRUCTOR RATING

Requirements for Grade II flight engineer instructor rating

63.05.1 An applicant for the issuing of a Grade II flight engineer instructor rating must:

- (a) hold a valid flight engineer licence and type rating;
- (b) have acquired the experience referred to in regulation 63.05.2;

- (c) have successfully completed the training referred to in regulation 63.05.3;
- (d) have passed the theoretical knowledge examination referred to in regulation 63.05.4; and
- (e) have undergone the skill test referred to in regulation 63.05.5.

Experience

63.05.2 An applicant for the issuing of a Grade II flight engineer instructor rating must have completed a training course during which not less than 25 hours of flight engineer instruction must have been given under the supervision of the holder of a Grade I flight engineer instructor rating.

Training

63.05.3 An applicant for the issuing of a Grade II flight engineer instructor rating must have completed the appropriate training set out in Document NAM-CATS 63.

Theoretical knowledge examination

63.05.4 An applicant for the issuing of a Grade II flight engineer instructor rating must have passed the appropriate written examination set out in Document NAM-CATS 63.

Skills test

63.05.5 (1) An applicant for the issuing of a Grade II flight engineer instructor rating must demonstrate to a designated examiner the ability to perform the procedures set out in Document NAM-CATS 63 with a degree of competency appropriate to the privileges granted to the holder of a Grade II flight engineer instructor rating.

(2) The applicant referred to in subregulation (1) must undergo the skills test referred to in that subregulation within six months of passing the theoretical knowledge examination referred to in regulation 63.05.4 and within the 90 days immediately preceding the date of application.

Application for Grade II flight engineer instructor rating

63.05.6 An application for a Grade II flight engineer instructor rating must be:

- (a) made to the Executive Director in the appropriate form determined by the Executive Director;
- (b) accompanied by:
 - (i) original or certified evidence that the applicant has passed the theoretical knowledge examination referred to in regulation 63.05.4;
 - (ii) the skills test report set out in Document NAM-CATS 63;
 - (iii) the flight engineer licence and type rating of the applicant; and
 - (iv) the appropriate fee as prescribed in Part 187.

Issuing of Grade II flight engineer instructor rating

63.05.7 (1) The Executive Director must issue a Grade II flight engineer instructor rating if the applicant complies with the requirements referred to in regulation 63.05.1.

(2) A Grade II flight engineer instructor rating must be issued in the appropriate form set out in Document NAM-CATS 63.

Period of validity

63.05.8 A Grade II flight engineer instructor rating is valid:

- (a) for a period of three years calculated from the date of issue or re-issue of the rating or from the date of expiry of the rating if such rating is renewed in accordance with the provisions of regulation 63.05.10; or
- (b) unless suspended or revoked in terms of the Act,

whichever occurs earlier.

Privileges

63.05.9 (1) The holder of a valid Grade II flight engineer instructor rating may exercise the privileges of such rating in the type or aircraft for which the holder is rated.

(2) The holder of a valid Grade II flight engineer instructor rating may give flight engineer instruction for the issuing of a flight engineer licence or type rating.

Renewal

63.05.10 (1) To renew a Grade II flight engineer instructor rating the holder of the rating must, within the 90 days immediately preceding the date of expiry of such rating, comply with any two of the following requirements:

- (a) give not less than 50 hours flight engineer instruction within the three years preceding the date of expiry, of which not less than 30 hours must be given within the 12 months immediately preceding the date of expiry of such rating;
- (b) attend a flight engineer instructor refresher seminar set out in Document NAM-CATS 63;
- (c) undergo the skills test referred to in regulation 63.05.5.

(2) Upon compliance with the requirements referred to in subregulation (1)(a) and (b), the designated examiner must:

- (a) provide the Executive Director with the skills test report set out Document NAM-CATS 63;
- (b) sign the appropriate page of the licence of such holder; and
- (c) endorse the logbook of such holder.

(3) If the results of the skills test referred to in subregulation (1) reveal that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in regulation 63.05.9, the designated examiner must:

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

Re-issue

63.05.11 (1) If a Grade II flight engineer instructor rating expires due to the lapse of the period referred to in regulation 63.05.8, the holder of the rating may apply to the Executive Director for the re-issuing of the expired rating before a further period of 60 months has lapsed, if such holder has within the 90 days preceding the date of application:

- (a) attended a flight engineer instructor refresher seminar set out in Document NAM-CATS 63; and
- (b) undergone the skill test referred to in regulation 63.05.5.

(2) An application for the re-issuing of the expired rating referred to in subregulation (1) must be accompanied by:

- (a) original or certified proof that the applicant has attended the flight engineer instructor refresher seminar referred to in subregulation (1)(a);
- (b) the skills test report referred to in subregulation (1)(b); and
- (c) the appropriate fee as prescribed in Part 187.

(3) If the holder of such expired flight engineer instructor rating complies with the requirements for the initial issue of a Grade II flight engineer instructor rating, the Executive Director must re-issue a Grade II flight engineer instructor rating which has expired due to the lapse of the period referred to in regulation 63.05.8 and after a further period of 60 months has lapsed.

(4) The provisions of regulation 63.05.6 apply with changes required in the context to an application referred to in this regulation.

PART 64**PERSONNEL: CABIN CREW LICENSING****SUBPART 1: GENERAL**

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SUBPART 1

GENERAL

Applicability

64.01.1 (1) This Part prescribes the requirements relating to the issuing, renewal and re-issuing of licences for cabin crew members and the privileges and limitations of such licences.

(2) For the purpose of this Part “designated examiner” means a person designated as an examiner in terms of regulation 64.01.10 to conduct skills tests and to issue skills test reports for purposes issuing of cabin crew member licences.

(3) In this Part any requirements for the issuing, renewal and re-issuing of an aviation document in terms of this Part are subject to, and must be read in conjunction with, the requirements in the Act and technical standards relating to aviation documents.

Authority to act as cabin crew member

64.01.2 (1) A person may not act as a cabin crew member on a Namibian aircraft, unless:

- (a) the person is the holder of a valid cabin crew member licence issued by the Executive Director in terms of this Part; or
- (b) the person is in training under supervision of a cabin crew instructor licenced in terms of these regulations.

(2) A cabin crew member may not exercise privileges other than the privileges granted by the licence held by the cabin crew member.

(3) The holder of a cabin crew member licence must pay the annual currency fees as prescribed in Part 187 applicable to the type of licence on the anniversary date of the licence.

Ratings for cabin crew members

64.01.3 A cabin crew member’s licence may be endorsed with the following ratings:

- (a) a type rating; and
- (b) an instructor rating.

Competency

64.01.4 (1) A cabin crew member may not exercise the privileges granted by a cabin crew member licence unless the cabin crew member maintains competency by complying with the requirements prescribed in this Part.

(2) The holder of a cabin crew member licence must submit copies of all documentation reflecting continued maintenance of competency to the Executive Director within 30 days after compliance with the appropriate requirements prescribed in this Part.

(3) The requirements of subregulation (1) are subject to the condition imposed by section 68(4) of the Act.

Documentation

64.01.5 The Executive Director must ensure that a cabin crew member licence is issued in such a manner that the validity of the licence may readily be determined by any appropriate authority.

Logbooks

64.01.6 (1) A cabin crew member must maintain a logbook and must record in the logbook all flight time on an aircraft as a cabin crew member.

(2) The form of and information to be contained in a logbook referred to in subregulation (1) and the manner in which such logbook has to be maintained are as set out in Document NAM-CATS 64.

Medical fitness

64.01.7 An applicant for or the holder of a cabin crew member licence must obtain a Class 2 medical certificate issued in terms of Part 67.

Register of licences

64.01.8 (1) The Executive Director must maintain in the Civil Aviation Registry a register of all cabin crew member licences issued in terms of the regulations in this Part.

(2) The register referred to in subregulation (1) must contain the following particulars:

- (a) the full name of the holder of the licence;
- (b) the postal address of the holder of the licence;
- (c) the date on which the licence was issued; and
- (d) the nationality of the holder of the licence.

(3) The Executive Director must record or ensure the recording of particulars referred to in subregulation (2) in the register within seven days from the date on which the licence is issued by the Executive Director.

(4) The Executive Director must provide access to the particulars referred to in subregulation (2) in accordance with the provisions of section 52 of the Act.

Language

64.01.9 (1) Cabin crew members must have sufficient ability in reading, speaking and understanding the English language to satisfy the Executive Director that the holder of the cabin crew member licence will not be impaired or impeded in the due performance of his or her responsibilities as a cabin crew member by reason of insufficient English language proficiency.

(2) The Executive Director may not issue a cabin crew licence under this Part unless the applicant for that licence has demonstrated or provided proof that he or she meets the language proficiency requirements set out in Document NAM-CATS 64.

Designation of examiner

64.01.10 (1) The Executive Director may designate an examiner to conduct skills tests and to issue skills test reports for purposes of issuing of cabin crew member licences and ratings.

(2) The privileges referred to in subregulation (1) must be exercised and performed in accordance with the requirements set out in Document NAM-CATS 64.

(3) The Executive Director must sign and issue to each designated examiner a document which must state the full name of the examiner and the document must contain a statement that:

- (a) the examiner has been designated in terms of subregulation (1); and
- (b) the examiner is empowered to exercise the privileges referred to in subregulation (1).

(4) A designation document issued by the Executive Director in accordance with subregulation (3) is deemed an aviation document for the purposes of the Act.

(5) An applicant for designation as examiner in terms of subregulation (1) must comply with the requirements set out in Document NAM-CATS 64 and the application must be accompanied by:

- (a) detail of the licence and ratings to which the application applies; and
- (b) the appropriate fee as prescribed in Part 187.

(6) An inspector must conduct surveillance over the activities of a designated examiner on an annual basis as set out in Document NAM-CATS 64.

Designation of the First Aid Examiner

64.01.11 (1) The Executive Director may designate a First Aid Examiner to oversee training of designated First Aid Instructors.

(2) The procedure and qualifications criteria for designation of a First Aid Examiner are set out in document NAM-CATS 64.

(3) The privileges referred to in subregulation (1) must be exercised and performed in accordance with the requirements set out in Document NAM-CATS 64.

(4) The Executive Director must sign and issue to each designated First Aid Examiner a document which must state the full name of such an examiner, allocate a designated number to the examiner and contain a statement that:

- (a) the examiner has been designated in terms of subregulation (1); and
- (b) the examiner is empowered to exercise the privileges referred to in subregulation (1).

(5) An application for designation as referred to in subregulation (1) must be made to the Executive Director in the appropriate form and must be accompanied by the appropriate fee as prescribed in Part 187.

(6) A medical assessor appointed by the Executive Director in terms of Part 67 must conduct surveillance over the activities of the First Aid Examiner on an annual basis as set out in Document NAM-CATS 64.

(7) The Executive Director may suspend or revoke a designation of First Aid Examiner, if it becomes evident that the examiner does not comply with the provision of these regulations.

(8) The First Aid Examiner must upon the revoking of the designation as First Aid Examiner immediately surrender to the Executive Director the documents relating to the designation.

Training

64.01.12 Training as required by this Part may only be provided by an approved ATO.

Validation of foreign licence issued by an appropriate authority

64.01.13 (1) The holder of a licence and rating or competency card issued by an appropriate authority, who wishes to act as a cabin crew member on a Namibian aircraft, must apply to the Executive Director in the appropriate form as set out by the Executive Director, for the validation of such licence, rating or competency card.

(2) The application for a validation referred to in subregulation (1) must be accompanied by:

- (a) the documents listed in Document NAM-CATS 64; and
- (b) the appropriate fee as prescribed in Part 187.

(3) A licence, rating or competency card issued by an appropriate authority may be validated by the Executive Director:

- (a) if the Executive Director is of the opinion that the standard of such licence, rating or competency card is equivalent to, or higher than, the standard prescribed in this Part for the issuing of a cabin crew licence;
 - (b) subject to the same restrictions that apply to such licence, rating or competency card to be validated; and
 - (c) subject to such additional conditions and limitations as the Executive Director may consider necessary in the interest of aviation safety.
- (4) If the Executive Director is satisfied:
- (a) that the applicant complies with the requirements referred to in this regulation, and
 - (b) that the issue of the validation is not contrary to the interests of aviation safety,

the Executive Director may, to ensure compatibility with the standards prescribed in this Part for the issuing of a cabin crew licence, require the applicant:

- (i) to undergo bridging training and prescribe the extent of such training on an individual basis; and
- (ii) to undergo further assessment of competency.

(5) Before the Executive Director validates a foreign cabin crew member licence, rating or competency card the Executive Director must confirm the validity of the foreign licence or rating with the appropriate authority:

(6) The duration of a validation issued in terms of this regulation, is:

- (a) 12 months calculated from the date of issue of such a validation by the Executive Director; or
- (b) the period of validity of the licence, rating or competency card issued by the appropriate authority concerned, whichever period is the lesser period.

(7) The holder of a validation issued by the Executive Director may, subject to the provisions of subregulation (5), apply to the Executive Director for the renewal of such validation which must be done at least 21 days immediately preceding the date of expiry of such validation.

(8) The Executive Director may renew a validation of a licence, rating or competency card in the circumstances and on conditions set out in Document NAM-CATS 64: Provided that a validation of a licence, rating or competency card, the privileges of which are to be exercised for commercial purposes, may only be renewed for the same period as referred to in subregulation (6).

(9) The holder of a validation issued in terms of this regulation must comply with the provisions prescribed in this part and the requirements set out in Document NAM-CATS 64.

(10) The validation of a licence, rating or competency card issued in terms of this regulation is deemed an aviation document for the purposes of the Act.

Conversion of foreign licence issued by appropriate authority

64.01.14 (1) The holder of a foreign cabin crew licence and rating issued by an appropriate authority and who is a Namibian citizen or a Namibian permanent resident holder may apply to the Executive Director for a conversion of the licence and its associated rating and the Executive Director may, subject to the provisions of the Act, applicable regulations and standards convert the licence and rating.

(2) A Namibian cabin crew licence issued wholly or in part based on a foreign licence must indicate the appropriate authority that issued the licence upon which the conversion was based.

(3) The holder of a validation issued in terms of regulation 64.01.13 may apply for a conversion of his or her licence, without having to meet the theoretical knowledge examinations: Provided that:

- (a) the validation has been held for an uninterrupted period of three years or more; and
- (b) the holder has acquired not less than 200 hours flight time during the same three year period.

(4) In issuing a Namibian cabin crew licence or rating based on a conversion the Executive Director must determine whether any foreign examination credits should be applied, take into account all foreign licences or ratings held by the applicant.

(5) An applicant for the conversion of a foreign cabin crew licence is required to:

- (a) attend training at an approved ATO and on the operational procedures of the air operator at which the cabin crew member will be employed;

- (b) undergo a skills test conducted by a designated cabin examiner;
- (c) successfully pass a Namibia Air law examination; and
- (d) undergo any additional examinations or tests as determined by the Executive Director as referred to in subregulation (6).

(6) The Executive Director may require any additional examinations if the standard of the foreign cabin crew licence on which the conversion is based, is not equivalent to the standards in the Regulations.

(7) An application for the issuing of a Namibian cabin crew licence or any rating on the basis of a conversion of a foreign cabin crew licence or rating, must:

- (a) be made to the Executive Director in the appropriate form set out in Document NAM-CATS 64; and
- (b) be accompanied by:
 - (i) a copy of the foreign cabin crew licence and rating to which the conversion pertains;
 - (ii) a valid Namibian medical certificate, as applicable;
 - (iii) an up-to-date curriculum vitae;
 - (iv) a certified copy of the pages of his or her logbook containing -
 - (aa) the last 12 months' summary;
 - (ba) endorsements of all class or type ratings; and
 - (ca) endorsements of the last revalidation of his or her licence, class or type ratings;
 - (v) one recent passport size photographs of the applicant;
 - (vi) proof of successful completion of an English Language Proficiency test; and
 - (vii) the appropriate fee as prescribed in Part 187.

(8) The requirements for the validity, privileges and limitations of any Namibian cabin crew licence and ratings issued based on a foreign licence, are those prescribed in this Part for the validity, privileges and limitations of the equivalent Namibian licence or rating.

Change of name or address

64.01.15 (1) If a cabin crew member licence and rating issued in terms of this Part:

- (a) does not correctly reflect the name or address of the holder; or
- (b) contains a photograph which is no longer a recognisable image of the holder,

the holder must, within 30 days from the date on which such name or address was changed, or such photograph became an unrecognisable image, apply to the Executive Director for the issuing of a new licence and rating.

(2) An application for the issuing of a new cabin crew member licence and rating in terms of this regulation must be made in the appropriate form set out in Document NAM-CATS 64 and must be accompanied by:

- (a) the original licence and rating;
 - (b) in the case of a change of name, a copy of a certificate issued in terms of the Aliens Act, 1937 (Act No. 1 of 1937), the Births, Marriages and Death Registration Act, 1963 (Act No. 81 of 1963), a court order or any other legal document which verifies the change of name;
 - (c) one recent passport size photographs of the applicant; and
 - (d) the appropriate fee as prescribed in Part 187.
- (3) The Executive Director must:
- (a) issue a new cabin crew member licence and rating if the applicant complies with the requirements referred to in subregulation (2); and
 - (b) cancel and destroy the original cabin crew member licence and rating.

(4) Upon the issuing of a new cabin crew member licence in terms of this regulation the holder of the licence must immediately affix his or her signature in ink in the space on the new licence provided for such purpose.

Duplicate cabin crew member licence

64.01.16 (1) The holder of a cabin crew member licence and rating which has been lost, destroyed or defaced to such an extent that the particulars on it are illegible, must apply to the Executive Director for the issuing of a duplicate licence and rating.

(2) An application for the issuing of a duplicate cabin crew member licence and rating must be:

- (a) made in the appropriate form set out in Document NAM-CATS 64; and
 - (b) accompanied by:
 - (i) a valid Class 2 medical certificate issued in terms of Part 67;
 - (ii) one recent passport size photographs of the applicant; and
 - (iii) the appropriate fee as prescribed in Part 187.
- (3) The Executive Director must:
- (a) issue a duplicate cabin crew member licence and rating if the applicant complies with the requirements referred to in subregulation (2); and

- (b) endorse the duplicate cabin crew licence and rating with the word “DUPLICATE” on it.

(4) Upon the issuing of a duplicate cabin crew member licence the holder must immediately affix his or her signature in ink in the space on the duplicate licence provided for such purpose.

(5) If, after the issuing of a duplicate licence and rating in terms of this regulation, the original licence and rating is found, the holder of the duplicate licence and rating must take all reasonable steps to obtain such original licence and rating and surrender it immediately to the Executive Director.

Duties of cabin crew member

64.01.17 A cabin crew member must:

- (a) carry the cabin crew member licence and rating issued to him or her, on his or her person when exercising the privileges of the licence and rating;
- (b) produce the licence and rating referred to in paragraph (a) to an authorised officer, inspector or authorised person if so requested by the officer, inspector or person; and
- (c) produce the licence and rating referred to paragraph (a) to the authorised representative of an appropriate authority if so request by the representative.

Unauthorised conduct

64.01.18 (1) During any written examination under this Part, a person may not:

- (a) copy from another person;
 - (b) use any unauthorised source of information;
 - (c) communicate in any way with another person, except the invigilator;
 - (d) take the examination on behalf of another person; or
 - (e) remove any written or printed material from the examination room, unless authorised by the Executive Director to do so.
- (2) Any unauthorised conduct referred to in subregulation (1) may result in:
- (a) disqualification in the subject concerned;
 - (b) disqualification in any or all subjects already passed;
 - (c) debarment from taking further examinations for a period not exceeding 12 months; and
 - (d) revocation of the relevant licence and rating.

SUBPART 2: CABIN CREW MEMBER LICENCE**Requirements for cabin crew member licence**

64.02.1 An applicant for the issuing of a cabin crew member licence must:

- (a) be 18 years of age or older;
- (b) hold a valid Class 2 medical certificate issued in terms of Part 67;
- (c) hold an English Language Proficiency certification as set out in Document NAM-CATS 64;
- (d) have successfully completed the training referred to in regulation 64.02.2;
- (e) have passed the theoretical knowledge examination referred to in regulation 64.02.3;
- (f) have met the experience requirements referred to in regulation 64.02.4; and
- (g) have undergone the skills test referred to in regulation 64.02.5.

Training

64.02.2 (1) An applicant for the issuing of a cabin crew member licence must have successfully completed the appropriate training as set out in Document NAM-CATS 64.

(2) The training referred to in subregulation (1) must be conducted by an instructor approved to give such training under a Part 141 approved ATO as set out in Document NAM-CATS 64.

Theoretical knowledge examination

64.02.3 (1) An applicant for the issuing of a cabin crew member licence must have passed the appropriate written examination set out in Document NAM-CATS 64.

(2) The applicant for a cabin crew member licence who fails a theoretical knowledge examination may apply for retesting after the appropriate period set out in Document NAM-CATS 64.

Experience

64.02.4 An applicant for the issuing of cabin crew member licence must have completed not less than 20 hours simulator training sessions covering all elements of a skills test during the initial cabin crew training.

Skills test

64.02.5 (1) An applicant for the issuing of a cabin crew member licence must demonstrate to a designated examiner, the ability to perform as cabin crew member of an aircraft, the procedures as prescribed in Document NAM-CATS 64, with a degree of competency appropriate to the privileges granted to the holder of a cabin crew member licence.

(2) The applicant referred in subregulation (1) must undergo the skills test referred to in subregulation (1) within six months of passing the theoretical knowledge examination referred to in regulation 64.02.3 and within the 90 days immediately preceding the date of application.

Application for cabin crew member licence

64.02.6 An application for the issuing of a cabin crew member licence must be made to the Executive Director in the appropriate form set out by the Executive Director and be accompanied by:

- (a) original or certified proof of:
 - (i) the identity of the applicant; and
 - (ii) the age of the applicant;
- (b) a valid Class 2 medical certificate issued in terms of Part 67;
- (c) original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 64.02.3;
- (d) proof that applicant complies with the experience requirement of regulation 64.02.4;
- (e) the skills test report as set out in Document NAM-CATS 64, signed by a designated examiner;
- (f) the appropriate fee as prescribed in Part 187; and
- (g) two recent passport size photographs of the applicant.

Issuing of cabin crew member licence

64.02.7 (1) The Executive Director must issue a cabin crew member licence to the applicant, if the Executive Director is satisfied:

- (a) that the applicant complies with the requirements referred to in regulation 64.02.1;
- (b) that the applicant is a fit and proper person within the meaning of section 69 of the Act to exercise the privileges of an aviation document, and
- (c) that the issue of the license is not contrary to the interests of aviation safety.

(2) The Executive Director must issue the cabin crew licence on the appropriate form as determined by the Executive Director.

(3) Upon the issuing of a cabin crew licence the holder the holder of the licence must immediately affix his or her signature in ink in the space on the licence provided for such purpose.

(4) A cabin crew license issued by the Executive Director pursuant to this regulation is deemed to be an aviation document for the purposes of the Act.

Period of validity

64.02.8 (1) A cabin crew member licence is valid for an indefinite period unless suspended or revoked in terms of the Act.

- (2) The holder of the licence may not exercise the privileges of such licence unless:

- (a) he or she is the holder of a valid Class 2 medical certificate issued in terms of Part 67; and
- (b) he or she undergoes the recurrent training prescribed in Part 121 required for the revalidation of the type rating.
- (c) he or she satisfies the condition imposed by section 68(4) of the Act.

Privileges

64.02.9 The holder of a valid cabin crew member licence is entitled to act as a cabin crew member for the type of aircraft in respect of which the holder received his or her training referred to in regulation 64.02.2 and which is specified on such licence.

SUBPART 3: TYPE RATING

Requirements for type rating

64.03.1 An applicant for the issuing of a type rating must:

- (a) hold a valid cabin crew member licence;
- (b) have successfully completed the training as set out in Document NAM-CATS 64;
- (c) have passed the theoretical knowledge examination set out in Document NAM-CATS 64 and
- (d) have undergone the skill test referred to in regulation 64.03.2.

Skills test

64.03.2 (1) An applicant for the issuing of a type rating must have demonstrated to a designated examiner, the ability to perform the duties and procedures as set out in Document NAM-CATS 64, with a degree of competency appropriate to the privileges granted to the holder of such type rating.

(2) The applicant must have undergone the skills test referred to in subregulation (1) within 12 months of passing the theoretical knowledge examination referred to in regulation 64.03.1 and within the 90 days immediately preceding the date of application.

Temporary certificate of competency

64.03.3 The holder of a cabin crew examiner designation may issue the applicant for the issuing of a type rating, with a temporary certificate of competency, which permits the applicant to exercise the privileges of such type rating, for a period of 30 days calculated from the date of issue of such temporary certificate.

Application for type rating

64.03.4 (1) An application for the issuing of a type rating must be made to the Executive Director in the appropriate form as set out in Document NAM-CATS 64, and be accompanied by:

- (a) a copy of the cabin crew member licence held by the applicant;

- (b) proof that the applicant has passed the theoretical knowledge examination referred to in regulation 64.03.1;
- (c) the skills test report as set out in Document NAM-CATS 64; and
- (d) the appropriate fee as prescribed in Part 187.

(2) The Executive Director must issue a type rating if the applicant complies with the requirements referred to in regulation 64.03.1.

Period of validity

64.03.5 A type rating is valid for a period of 12 months calculated from the date of issue or renewal of the rating, unless suspended and revoked in terms of the Act.

Privileges

64.03.6 The holder of a valid type rating is entitled to act as a cabin crew member in the type of aircraft for which the holder is rated.

Renewal

64.03.7 (1) To renew a type rating, the holder of the rating must:

- (a) complete the refresher training required in terms of Part 121, within the 90 days immediately preceding the date of expiry of such rating; and
- (b) have undergone the proficiency check as set out in Document NAM-CATS 64, conducted by a designated examiner for cabin crew.

(2) The cabin crew designated examiner must, upon compliance with the requirements prescribed in subregulation (1) by the holder of the rating, issue the proficiency check report and endorse the logbook of such holder.

(3) If the result of the proficiency check contemplated in subregulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in regulation 64.03.6, the cabin crew designated examiner must:

- (a) submit the proficiency check report to the Executive Director; and
- (b) not endorse the logbook of the holder with the rating.

(4) An application for the renewal of the rating in terms of this regulation must within the 90 days immediately preceding the date of expiry of such rating, be:

- (a) made to the Executive Director in the appropriate form as set out in Document NAM-CATS 64; and
- (b) be accompanied by:
 - (i) a copy of such rating;
 - (ii) a copy of a summary of the logbook of the applicant;

- (iii) the proficiency check report referred to in subregulation (2); and
- (iv) the appropriate fee as prescribed in Part 187.

Re-issue

64.03.8 (1) The holder of a type rating which has expired due to the lapse of the period referred to in regulation 64.03.5, who wishes to apply for the re-issuing of the expired rating, may, with the written approval of the Executive Director and subject to such conditions as the Executive Director may determine, act as a cabin crew member for the purpose of complying with the requirements prescribed in subregulation (2).

(2) The applicant referred to in subregulation (1) must, within the 90 days immediately preceding the date of application, have undergone the skill test referred to in regulation 64.03.2(1), conducted by a designated examiner.

(3) The designated examiner must, upon compliance with the requirements prescribed in subregulation (2) by the holder of the expired rating:

- (a) issue the skills test report as set out in Document NAM-CATS 64; and
- (b) endorse the logbook of such holder.

(4) An application for the re-issuing of the expired rating must be made to the Executive Director in the appropriate form as set out in Document NAM-CATS 64, and accompanied by:

- (a) a copy of such expired rating;
- (b) a copy of a summary of the logbook of the applicant,
- (c) the skill test report referred to in subregulation (3)(a); and
- (d) the appropriate fee as prescribed in Part 187.

(5) If the result of the skills test contemplated in subregulation (2) reveals that the holder of the expired rating has failed to maintain the minimum standard required to exercise the privileges referred to in regulation 64.03.6, the designated examiner must:

- (a) submit the skills test report to the Executive Director; and
- (b) not endorse the logbook of the holder of the expired rating.

(6) If a period of 60 months has lapsed after the date of expiry of the rating, the holder of the expired rating may apply to the Executive Director for the re-issuing of the rating and the Executive Director must re-issue the rating if the applicant complies with the requirements referred to in regulation 64.03.1.

SUBPART 4: INSTRUCTOR RATING

Requirements for instructor rating

64.04.1 An applicant for the issuing of a cabin crew instructor rating must:

- (a) hold a valid cabin crew member licence;

- (b) have successfully completed the training referred to in regulation 64.04.2;
- (c) have passed the theoretical knowledge examination referred to in regulation 64.04.3; and
- (d) have undergone the skill test referred to in regulation 64.04.4.

Training

64.04.2 An applicant for the issuing of a cabin crew instructor rating must have successfully completed the appropriate training as set out in Document NAM-CATS-64.

Theoretical knowledge examination

64.04.3 An applicant for the issuing of a cabin crew instructor rating must have passed the appropriate written examination set out in Document NAM-CATS-64.

Skill test

64.04.4 (1) An applicant for the issuing of a cabin crew instructor rating must have demonstrated to a designated examiner the ability to perform as a cabin crew instructor the duties and procedures set out in Document NAM-CATS-64, with a degree of competency appropriate to the privileges granted to the holder of a cabin crew instructor rating.

(2) The applicant for a cabin crew instructor rating must have undergone the skill test referred to in subregulation (1) within 36 months of passing the theoretical knowledge examination referred to in regulation 64.04.3, and within the 90 days immediately preceding the date of application.

Application for cabin crew instructor rating

64.04.5 An application for the issuing of a cabin crew instructor rating must be:

- (a) made to the Executive Director in the appropriate form set out in Document NAM-CATS-64; and
- (b) accompanied by:
 - (i) a copy of the cabin crew member licence held by the applicant;
 - (ii) a copy of a summary of the logbook of the applicant;
 - (iii) proof that the applicant has passed the theoretical knowledge examination referred to in regulation 64.04.3;
 - (iv) the skills test report as set out in Document NAM-CATS-64; and
 - (v) the appropriate fee as prescribed in Part 187.

Issuing of cabin crew instructor rating

64.04.6 The Executive Director must issue a cabin crew instructor rating:

- (a) if the applicant complies with the requirements referred to in regulation 64.04.1; and

- (b) on the appropriate form set out in Document NAM-CATS-64.

Period of validity

64.04.7 A cabin crew instructor rating is valid for a period of three years calculated from the date of issue of the rating, unless suspended or revoked in terms of the Act, and: Provided that the requirements for maintenance of competency as set out in regulation 64.04.11 are met.

Privileges of cabin crew instructor rating

64.04.8 Provided that the maintenance of competency requirements as prescribed in regulation 64.04.11 are met, the holder of a valid cabin crew instructor rating is entitled to:

- (a) give academic or practical instruction on any of the valid ratings held by him or her;
- (b) conduct proficiency checks and issue proficiency check reports required for the renewal of type ratings, in any of the valid type ratings held by him or her;
- (c) issue temporary type rating certificates; and
- (d) act as an examiner in any of the valid ratings held by him or her if designated by the Executive Director in terms of regulation 64.01.11.

Renewal

64.04.9 (1) To renew a cabin crew instructor rating, the holder of the rating must:

- (a) have complied with the maintenance or competency requirements as set out in regulation 64.04.11; or
- (b) within the 90 days immediately preceding the date of expiry of such rating, have undergone the proficiency check as set out in Document NAM-CATS-64, conducted by a designated examiner.

(2) The designated examiner must, upon compliance with the requirements referred to in subregulation (1) by the holder of the rating:

- (a) issue the proficiency check report as set out in Document NAM-CATS-64; and
- (b) endorse the logbook of such holder.

(3) If the result of the proficiency check referred to in subregulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in regulation 64.04.8, the designated examiner must:

- (a) submit the proficiency check report to the Executive Director; and
- (b) not endorse the logbook of the holder of the rating.

(4) An application for the renewal of the rating must, within the 90 days immediately preceding the date of expiry of such rating, and be:

- (a) made to the Executive Director in the appropriate form as set out in Document NAM-CATS-64; and:

- (b) accompanied by:
 - (i) a copy of such rating;
 - (ii) a copy of a summary of the logbook of the applicant confirming that the maintenance of competency requirements as prescribed in regulation 64.04.11 were met; or
 - (iii) the proficiency check report referred to in subregulation (2); and
 - (iv) the appropriate fee as prescribed in Part 187.
- (5) The Executive Director must renew the rating:
 - (a) if the applicant complies with the requirements referred to in subregulation (1); and
 - (b) on the appropriate form as set out in Document NAM-CATS-64.

Re-issue

64.04.10 (1) The holder of a cabin crew instructor rating which has expired due to the lapse of the period referred to in regulation 64.04.7, who wishes to apply for the re-issuing of the expired rating, may, with the approval of the Executive Director and subject to such conditions as the Executive Director may determine, act as a cabin crew instructor for the purpose of complying with the requirements prescribed in subregulation (2).

(2) The applicant referred to in subregulation (1) must, within the 90 days immediately preceding the date of application, undergone the skills test referred to in subregulation (1) of regulation 64.04.4, conducted by a designated examiner.

(3) The designated examiner must, upon compliance with the requirements prescribed in subregulation (2) by the holder of the expired rating:

- (a) issue the skills test report as set out in Document NAM-CATS-64; and
- (b) endorse the logbook of such holder.
- (4) An application for the reissuing of the expired rating must be:
 - (a) made to the Executive Director in the appropriate form as set out in Document NAM-CATS-64; and
 - (b) accompanied by:
 - (i) a copy of such expired rating;
 - (ii) a copy of a summary of the logbook of the applicant;
 - (iii) the skills test report referred to in subregulation (3)(a); and
 - (iv) the appropriate fee as prescribed in Part 187.

- (5) The Executive Director must re-issue the expired rating:
 - (a) if the applicant complies with the requirements referred to in subregulation (2);
 - (b) on the appropriate form as set out in Document NAM-CATS-64.

(6) If the result of the skills test referred to in subregulation (2) reveals that the holder of the expired rating has failed to maintain the minimum standard required to exercise the privileges referred to in regulation 64.04.8, the designated examiner must:

- (a) submit the skills test report to the Executive Director; and
- (b) not endorse the logbook of the holder of the expired rating.

(7) If a period of 60 months has lapsed after the date of expiry of the rating, the holder of the expired rating may apply to the Executive Director for the re-issuing of the rating and the Executive Director must re-issue the rating if the applicant complies with the requirements referred to in regulation 64.04.1.

(8) The provisions of regulation 64.04.5 apply with changes required in the context to an application made in terms of subregulation (7).

Maintenance of competency

64.04.11 The holder of a cabin crew instructor rating may not exercise the privileges of the rating unless he or she has given at least 10 hours of cabin crew instruction within the preceding 12 months.

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SUBPART 1 GENERAL**Applicability**

65.01.1 (1) This Part prescribes the requirements relating to -

- (a) the issuing of air traffic service licences, ratings, validations and certificates for Namibian air traffic service personnel and the privileges and limitations of such licences, ratings, validations and certificates, and related matters; and
- (b) the conversion of foreign air traffic service licences and ratings and the privileges and limitations of such conversions.

(2) In this Part any requirements for the issuing, renewal or re-issuing of an aviation document in terms of this Part are subject to, and must be read in conjunction with, the requirements in the Act and technical standards relating to aviation documents.

Authority to provide air traffic service

65.01.2 (1) A person may not provide an air traffic service within any airspace in Namibia unless such person holds a valid air traffic service licence complying with the requirements in this Part.

(2) Air traffic services for purposes this Part comprises of either one or a combination of air traffic services as defined in section 1 of the Act but does not include military air navigation services provided by the Namibian Defence Force.

(3) The holder of an air traffic service licence may not exercise privileges other than the privileges granted by the licence and the appropriate valid rating held by such holder.

(4) The provisions of subregulation (1) and (3) do not apply to airspaces designated for military use by the Authority: Provided that the Namibian Defence Force is providing the air traffic service in that airspace.

Conversion of licence or rating issued by appropriate authority

65.01.3 (1) The holder of an air traffic service licence or rating issued by an appropriate authority who wishes to obtain a licence or rating issued under this Part, must apply to the Executive Director in the appropriate form as determined by the Executive Director, for a conversion of such licence or rating.

(2) The application for a conversion referred to in subregulation (1) must be accompanied by:

- (a) the appropriate fee as prescribed in Part 187;
- (b) a certified true copy of the licence to which the conversion pertains;
- (c) a valid Namibian medical certificate; and
- (d) a recognised English Language Proficiency endorsement or certificate of at least operational level 4 or higher.

(3) An air traffic service licence or rating issued by an appropriate authority may be recognised by the Executive Director subject to the same restrictions which apply to such licence or rating and in accordance with and subject to the requirements set out in Document NAM-CATS-ATSP 65 if the holder thereof is a Namibian citizen or a Namibian permanent residence holder.

(4) Before the Executive Director converts a foreign air traffic service licence or rating the Executive Director must confirm the validity of the foreign licence or rating with the appropriate authority who issued the licence or rating.

(5) The Executive Director may convert an air traffic service licence or rating issued by an appropriate authority in the appropriate form determined by the Executive Director.

(6) The conversion of a licence or rating issued by the Executive Director in terms of to this regulation is deemed to be an aviation document for the purposes of the Act.

(7) The holder of an air traffic service licence or rating issued by an appropriate authority and converted by the Executive Director must at all times comply with the Act, the Regulations and with the requirements set out in Document NAM-CATS 65.

Medical fitness

65.01.4 An applicant for or a holder of an air traffic service licence must:

- (a) in the case of an air traffic controller, obtain a Class 3 medical certificate; or
- (b) in the case of an air traffic service assistant, obtain a Class 3 medical certificate issued in terms of Part 67.

Maximum hours of duty

65.01.5 The maximum hours of duty of air traffic service personnel for the purposes of aviation safety is set out in Document NAM-CATS 65.

Recency requirements

65.01.6 (1) An air traffic service personnel member must comply with the minimum hours for recency for each sector as set out in Document NAM-CATS 65.

(2) An air traffic service personnel member who is unable to comply with the minimum recency requirements referred to in subregulation (1) or is absent from duty for a period exceeding fourteen consecutive days must comply with the training requirements set out in Document NAM-CATS 65 to meet the recency requirement.

Ratings and certificates

65.01.7 (1) The air traffic service ratings are:

- (a) an air traffic service assistant rating;
- (b) an air traffic assistant (flight information service) rating;
- (c) an air traffic assistant (aerodrome flight information service) rating
- (d) an aerodrome control rating;

- (e) an approach control procedural rating;
 - (f) an area control procedural rating;
 - (g) an approach control surveillance rating;
 - (h) an area control surveillance rating; and
 - (i) an air traffic service instructor (operational) rating.
- (2) The air traffic service certificates are:
- (a) an air traffic service instructor (training organisation) certificate;
 - (b) an air traffic services rating examiner certificate; and
 - (c) an air traffic services validation examiner certificate.

Maximum number of rating suites

65.01.8 An air traffic controller or an air traffic assistant may not hold ratings combinations of more than two of the following rating suites or categories:

- (a) ATS Assistant, Flight Information Service, Area Control Procedural, Area Control Surveillance and Air Traffic Service Instructor (Operational);
- (b) ATS Assistant, Aerodrome Control, Aerodrome Flight Information Service and Air Traffic Service Instructor (Operational); or
- (c) ATS Assistant, Flight Information, Approach Control Procedural, Approach Control Surveillance and Air Traffic Service Instructor (Operational).

Register of licences

65.01.9 (1) The Executive Director must maintain within the Civil Aviation Registry a register of all air traffic service licences issued or converted, ratings validated and certificates issued in terms of the regulations in this Part.

- (2) The register referred to in subregulation (1) must contain the following particulars:
- (a) the full name and date of birth of the holder of the licence;
 - (b) the postal address of the holder of the licence;
 - (c) the date on which the air traffic personnel licence was issued or converted;
 - (d) particulars of the ratings, validations and certificates held by the holder of the air traffic personnel licence; and
 - (e) the nationality of the holder of the licence.

(3) The Executive Director must record or ensure the recording of particulars referred to in subregulation (2) in the register referred to in that subregulation within seven days from the date on which the licence is issued or converted, or a rating is validated or a certificate is issued, by the Executive Director.

(4) The Executive Director must provide access to the particulars referred to in subregulation (2) in accordance with the provisions of section 52 of the Act.

Language

65.01.10 (1) All air traffic service personnel members must demonstrate the ability in speaking and understanding the English language to enable them to adequately carry out their responsibilities as air traffic service personnel.

(2) A person may not be issued with an air traffic service licence under this Part unless he or she has demonstrated or provided proof that he or she meets the language proficiency requirements set out in Document NAM-CATS 65.

(3) The Executive Director must endorse the air traffic service personnel member's licence with the language proficiency level.

Designation of validation examiners and rating examiners

65.01.11 (1) The Executive Director may designate:

(a) a validation examiner (operational) to conduct proficiency checks, instructor proficiency checks, to issue certificates of competency and temporary validation certificates; and

(b) a rating examiner (training organisation) to conduct rating assessments and to issue rating certificates of competency and temporary rating certificates.

(2) A temporary validation and rating certificates referred to in subregulation (1):

(a) must be issued in the appropriate form as determined by the Executive Director; and

(b) remains valid for a period of not more than 30 days only, calculated from the date on which the temporary validation or rating certificate was issued.

(3) Before the Executive Director designates a person as validation examiner (operational) or a rating examiner (training organisation) that person must have successfully completed examiner training set out in Document NAM-CATS 65.

(4) The privileges referred to in paragraphs (a) and (b) of subregulation (1) must be exercised and performed according to the requirements set out in Document NAM-CATS 65.

(5) The Executive Director must sign and issue to each validation examiner or rating examiner designated as such a document which must state the full name of such validation examiner or rating examiner and contain a statement that:

(a) such validation examiner or rating examiner has been designated in terms of subregulation (1)(a) or (b), as the case may be; and

- (b) such validation examiner or rating examiner is empowered to exercise the privileges referred to in paragraphs (a) or (b) of subregulation (1), as the case may be.

(6) The initial designation of validation examiner or rating examiner is valid for a period of one year, and any subsequent re-designations is valid for a period of two years.

(7) The validation examiner or rating examiner may apply for re-designation 90 days before the expiry of his or her current designation.

Designation of air traffic controllers

65.01.12 The Executive Director may designate an air traffic controller to conduct the training and tests for air traffic service personnel, in the circumstances and subject to the requirements set out in Document NAM-CATS-65.

Air traffic service training organisation

65.01.13 Training as required by this Part may only be provided by an approved ATO.

Consumption of alcohol and other intoxicating substances

65.01.14 (1) A member of the air traffic service personnel may not:

- (a) consume any alcohol or any other intoxicating substance less than eight hours prior to the specified reporting time for operational duty or the commencement of a shift;
- (b) commence an operational duty period while the concentration of alcohol in any specimen of blood taken from any part of his or her body is more than 0,02 gram per 100 millilitres;
- (c) consume alcohol or any other intoxicating substance which is either narcotic or otherwise capable of impairing his or her judgement or affecting the performance of his or her duties during the operational duty period or whilst on standby for operational duty;
- (d) commence an operational duty period while under the influence of alcohol or any other intoxicating substance which is either narcotic or otherwise capable of impairing his or her judgement or affecting the performance of his or her duties;
- (e) exercise the privileges of his or her licence and related ratings while under the influence of any alcohol or other intoxicating substances which might render him or her unable to safely and properly exercise the privileges; and
- (f) engage in any problematic use of alcohol or other intoxicating substance capable of capable of impairing his or her judgement or affecting the performance of his or her duties.

(2) An air traffic service personnel member who has been identified under the provisions of Part 67 to engage in the problematic use of alcohol or other intoxicating substance or has returned a positive test result for a psychoactive substance may not exercise the privileges of his or her licence and such a member must within seven days notify the Executive Director of such fact.

(3) The Executive Director may consider re-instatement of privileges of an air traffic service personnel licence only after:

- (a) certification by a medical examiner that the holder of the air traffic service personnel licence has received effective and acceptable treatment and that the applicant is free from any effect of a psychoactive substance, where applicable;
- (b) the holder of the air traffic service personnel licence signs a declaration stating that he or she is no longer using the psychoactive substance nor intends to use the substance in future; and
- (c) the holder of the air traffic personnel licence continues to comply with the provisions of testing prescribed in Part 67.

Credit for military service

65.01.15 (1) A person qualified as air traffic service personnel in the Namibian Defence Force may apply to the Executive Director for the issuing of an air traffic service personnel licence and rating prescribed in this Part.

(2) An application for an air traffic service personnel licence must be made in the appropriate form as set out in Document NAM-CATS 65 and be accompanied by proof:

- (a) of the identity of the applicant;
- (b) of the age of the applicant;
- (c) of employment of the applicant in the Namibian Defence Force;
- (d) of a valid Class 3 medical certificate issued in terms of Part 67; and
- (e) that the applicant has passed the appropriate theoretical knowledge examination, or part of the examination, if the Executive Director requires the passing of such theoretical knowledge examination, or part of the examination;
- (f) of the appropriate fee as prescribed in Part 187; and
- (g) one recent passport size photographs of the applicant.

(3) As provided for in the Document NAM-CATS 65, the Executive Director may credit the theoretical knowledge and experience or part of the theoretical knowledge or experience, gained in military service by the applicant, towards the issuing of an air traffic service licence and rating, based on the equivalence to the requirements of this Part.

Unauthorised conduct

65.01.16 (1) A person may not provide another person with, or obtain from another person, any examination paper, or part or copy of the examination paper, unless authorised by the Executive Director to do so.

(2) During any written examination under for purposes of an authorisation in terms of regulations in this Part, a person may not:

- (a) copy from another person;
- (b) use any unauthorised source of information;

- (c) communicate in any way with another person, except the invigilator;
 - (d) take the examination on behalf of another person; or
 - (e) remove any written or printed material from the examination room, unless authorised by the Executive Director to do so.
- (3) Any unauthorised conduct referred to in subregulation (1) and (2) may result in:
- (a) disqualification in the subject concerned;
 - (b) disqualification in any or all subjects already passed;
 - (c) debarment from taking further examinations for a period not exceeding 12 months; and
 - (d) revocation of the air traffic service licence.

Change of Name or Address

65.01.17 (1) If an air traffic service licence or rating issued in terms of this Part:

- (a) does not correctly reflect the name or address of the holder of the licence; or
- (b) contains a photograph which is no longer a recognisable image of the holder of the licence,

such holder must, within 30 days from the date on which such name or address was changed, or such photograph became an unrecognisable image in the reasonable judgment of the holder, apply to the Executive Director for the issuing of a new licence or rating.

(2) An application for the issuing of a new air traffic service licence or rating must be:

- (a) made in the appropriate form set out in Document NAM-CATS 65; and
- (b) accompanied by:
 - (i) the original licence or rating;
 - (ii) in the case of a change of name, a copy of a certificate issued in terms of the Aliens Act, 1937 (Act No. 1 of 1937), the Births, Marriages and Death Registration Act, 1963 (Act No. 81 of 1963), a court order or any other legal document which verifies the change of name;
 - (iii) one recent passport size photographs of the applicant; and
 - (iv) the appropriate fee as prescribed in Part 187.

(3) The Executive Director must:

- (a) issue a new air traffic service licence or rating if the applicant complies with the requirements referred to in subregulation (2); and

- (b) immediately after the issuing of a new licence or rating under the paragraph (a), revoke and destroy the original licence or rating.

(4) Upon the issuing of a new air traffic service licence the holder of the licence must immediately affix his or her signature in ink in the space on the new licence provided for such purpose.

Duplicate air traffic service licence

65.01.18 (1) The holder of an air traffic service licence or rating which has been lost, destroyed or defaced to such an extent that the particulars on it are illegible, must apply to the Executive Director for the issuing of a duplicate licence or rating.

(2) An application for the issuing of a duplicate air traffic service licence or rating must be:

- (a) made in the appropriate form as set out in Document NAM-CATS 65; and
- (b) accompanied by:
 - (i) a valid Class 3 medical certificate issued in terms of Part 67;
 - (ii) one recent passport size photographs of the applicant;
 - (iii) the appropriate fee as prescribed in Part 187; and
 - (iv) a sworn affidavit, signed by a commissioner of oath, stating the circumstances under which the original license was lost, destroyed or defaced.

(3) The Executive Director must:

- (a) issue a duplicate air traffic service licence or rating if the applicant complies with the requirements referred to in subregulation (2); and
- (b) endorse the duplicate air traffic service licence or rating with the word “DUPLICATE” on it.

(4) Upon the issuing of a duplicate air traffic service licence the holder of the licence must immediately affix his or her signature in ink in the space on the duplicate licence provided for such purpose.

(5) If the holder of the air traffic service licence or rating finds the original licence or rating after the issuing of a duplicate licence or rating, the holder of the duplicate licence or rating must take all reasonable steps to obtain such original licence or rating and surrender it immediately to the Executive Director.

Duties of air traffic service personnel

65.01.19 An air traffic service personnel member must:

- (a) carry the air traffic service licence and rating issued to him or her when exercising the privileges of the licence and rating and produce such licence and rating to an authorised officer, inspector or authorised person if so, requested by such officer, inspector or person; and

- (b) comply at all times with the condition imposed by section 68(4) of the Act.

SUBPART 2: AIR TRAFFIC SERVICE LICENCE

Requirements for air traffic service licence

65.02.1 An applicant for the issuing of an air traffic service licence must:

- (a) be 18 years of age or older;
- (b) in the case of an air traffic controller or air traffic service assistants, hold a valid Class 3 medical certificate issued in terms of Part 67;
- (c) hold a valid radio operator certificate issued by the Communications Regulator Authority of Namibia;
- (d) hold an English Language Proficiency certification set out in Document NAM-CATS 65;
- (e) have successfully completed the training referred to in regulation 65.02.2;
- (f) have passed the theoretical knowledge examination referred to in regulation 65.02.3, and
- (g) comply with the applicable requirements of the Act.

Training

65.02.2 (1) An applicant for the issuing of an air traffic service licence must have successfully completed the appropriate training set out in Document NAM-CATS 65.

(2) If an air traffic service personnel member who holds a current validation for a particular rating and having held such a validation for a minimum period of 12 months, is required to revalidate the particular rating at a different air traffic service unit, such member must have provided the relevant service under the supervision of an air traffic service instructor (operational), at an air traffic service unit for which the rating validation is sought, for a period equal to at least 50 per cent of the hours relevant to the original rating validation.

Theoretical knowledge examination

65.02.3 An applicant for the issuing of an air traffic service licence must have passed the appropriate written examination set out in Document NAM-CATS 65.

Application for air traffic service licence

65.02.4 An application for the issuing of an air traffic service licence must be made to the Executive Director in the appropriate form as determined by the Executive Director and be accompanied by:

- (a) original or certified proof of:
 - (i) the identity of the applicant; and
 - (ii) the age of the applicant;

- (b) a valid Class 3 medical certificate issued in terms of Part 67;
- (c) a valid radio operator certificate issued by the Communications Regulator Authority of Namibia;
- (d) a valid English Language Proficiency certification as set out in Document NAM-CATS 65;
- (e) an appropriate certificate of competency as set out in Document NAM-CATS 65, signed by a rating assessment examiner;
- (f) the appropriate fee as prescribed in Part 187; and
- (g) one recent passport size photographs of the applicant.

Issuing of air traffic service licence

65.02.5 (1) The Executive Director must issue an air traffic service licence if the Executive Director is satisfied that:

- (a) the applicant complies with the requirements referred to in regulation 65.02.1;
- (b) the applicant is a fit and proper within the meaning of section 69 of the Act to exercise the privileges of the licence, and
- (c) the issue of the licence is not contrary to the interests of aviation safety.

(2) The Executive Director must issue the air traffic service licence in the appropriate form determined by the Executive Director.

(3) Upon the issuing of an air traffic service licence the holder of the licence must immediately affix his or her signature in ink in the space on the licence provided for such purpose.

Period of validity of air traffic service licence

65.02.6 (1) An air traffic service licence is valid for an indefinite period, unless suspended or revoked in terms of the Act.

(2) The holder of the air traffic service licence may not exercise the privileges of the licence unless:

- (a) he or she is a holder of a valid Class 3 medical certificate issued in terms of Part 67;
- (b) he or she is a holder of a valid radio operator certificate issued by the Communications Regulator Authority of Namibia or equivalent authority recognised by the Authority;
- (c) he or she is a holder of a valid English Language Proficiency certification set out in Document NAM-CATS 65;
- (d) he or she holds the appropriate rating;

- (e) he or she continually exercises the particular rating in the normal course of duties of employment in terms of the air traffic services recency as prescribed in regulation 65.01.6; and
- (f) he or she maintains competency by complying with the appropriate requirements prescribed in this Part.

(3) The holder of an air traffic service licence must submit copies of all documentation reflecting continued maintenance of competency to the Executive Director within 21 working days after compliance with the appropriate requirements prescribed in this Part.

Privileges

65.02.7 The holder of a valid air traffic service licence is entitled to:

- (a) provide air traffic services at an air traffic service unit for which the rating is sought, under the supervision of an air traffic service instructor (operational) to enable him or her to validate such rating;
- (b) provide air traffic services at the air traffic service unit for which a valid rating is held and validated by him or her; or
- (c) act as a validation examiner if he or she is so designated by the Executive Director in terms of regulation 65.01.11 to act as such.

SUBPART 3: AIR TRAFFIC SERVICE ASSISTANT RATING

Requirements for air traffic service assistant rating

65.03.1 An applicant for the issuing of an air traffic service assistant rating must:

- (a) be 18 years of age or older;
- (b) hold a valid air traffic service licence; and
- (c) have successfully completed the training referred to in regulation 65.03.2.

Training

65.03.2 An applicant for the issuing of an air traffic service assistant rating must have successfully completed the appropriate training set out in Document NAM-CATS 65.

Application for issuing of air traffic service assistant rating

65.03.3 An application for the issuing of an air traffic service assistant rating must be:

- (a) made to the Executive Director in the appropriate form as determined by the Executive Director within six months of completion of the training referred to in regulation 65.03.2; and
- (b) accompanied by:
 - (i) the appropriate certificate of competency set out in Document NAM-CATS 65, signed by a rating examiner;

- (ii) the air traffic service licence held by the applicant;
- (iii) the appropriate fee as prescribed in Part 187; and
- (iv) certified proof of his or her age.

Issuing of air traffic service assistant rating

65.03.4 (1) The Executive Director may issue an air traffic service assistant rating if the applicant complies with the requirements referred to in regulation 65.03.1.

(2) The Executive Director must issue the air traffic service assistant rating in the appropriate form determined by the Executive Director.

(3) The air traffic service assistant rating expires if validation training has not commenced within a period of six months calculated from the date on which such rating was issued.

Requirements for validation of air traffic service assistant rating

65.03.5 (1) An applicant for the validation of the ratings under this regulation must, under the supervision of an air traffic service instructor (operational), have provided the required service for which the rating is sought for at least:

- (a) 20 shifts to provide assistant and flight data operator service.
- (b) 30 shifts to provide a flight information service, and
- (c) 30 shifts to provide an aerodrome flight information service.

(2) The experience referred to in subregulation (1) must be completed within the 12 months immediately following the issuance of the rating.

(3) The application for the validation of the rating must be made within six months from the completion of experience referred to subregulation (1).

(4) To achieve the experience referred to in subregulation (1) the required training may not be interrupted for a period of more than three months unless otherwise approved by the Executive Director.

Application for validation of air traffic service assistant rating

65.03.6 An application for the validation of an air traffic service assistant rating must be:

- (a) made to the Executive Director in the appropriate form as determined by the Executive Director; and
- (b) accompanied by:
 - (i) the appropriate certificate of competency, as set out in Document NAM-CATS 65, signed by a validation examiner:
 - (aa) confirming that competency assessment has been successfully completed; and

- (ba) the experience specified in regulation 65.03.5 has been accumulated; and
- (ca) the training was not interrupted for a period of more than 3 months;
- (ii) the air traffic service licence and rating held by the applicant; and
- (iii) the appropriate fee as prescribed in Part 187.

Validation of air traffic service assistant rating

65.03.7 (1) The Executive Director must validate an air traffic service assistant rating if the applicant complies with the requirements referred to in regulation 65.03.5.

(2) The Executive Director must validate the air traffic service assistant in the appropriate form as determined by the Executive Director and the validation must specify:

- (a) the relevant ATS unit, where applicable, upon which the holder is entitled to exercise the privileges of the rating; and
- (b) the category of the assistant rating issued.

Privileges of air traffic service assistant rating

65.03.8 The holder of a valid air traffic service assistant rating is entitled to:

- (a) provide the appropriate assistant services at the air traffic service unit for which the rating is validated, in accordance with the requirements and standards as set out in Document NAM-CATS 65: Provided that he or she has familiarised himself or herself with all information that is pertinent or current at such air traffic service unit and has met the recency requirements as specified in regulation 65.01.6, as applicable; and
- (b) use the equipment to provide air traffic service assistant services, as appropriate.

Duration of air traffic service assistant rating

65.03.9 (1) An air traffic service assistant rating expires if the validation training required in terms of 65.03.5 has not commenced within six months of the date of issue of the rating.

(2) After validation, an air traffic assistant rating expires if it is not revalidated within a period of 36 months, calculated from the date of the last competency assessment completed to renew the validation.

Duration or renewal of air traffic service assistant validation

65.03.10 (1) An air traffic service assistant validation is valid for a period not exceeding 24 months calculated from the date of the last competency assessment completed to renew such validation in accordance with the provisions of this regulation or regulation 65.03.11, as the case may be.

(2) To renew an air traffic service assistant validation, the holder of the validation must, prior to the expiry of the validation, have met the recency requirements as indicated in regulation 65.01.6 and passed a competency assessment set out in Document NAM-CATS 65, conducted by a validation examiner designated in terms of regulation 65.01.11.

(3) Subject to the provisions of subregulation (4), the validation examiner must provide the Executive Director with a signed certificate of competency set out in Document NAM-CATS 65.

(4) If the result of the competency assessment contemplated in subregulation (2) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in regulation 65.03.8, the validation examiner must:

- (a) report such result to the Executive Director within seven days, who may suspend the applicable validation in writing; and
- (b) immediately inform the holder of the rating that he or she does not meet the requirements or revalidation of the rating and that he or she may not exercise the privileges of the rating until such time that they meet the requirements for revalidation or re-issue of the rating.

Renewal and re-issue of an expired air traffic service assistant rating

65.03.11 (1) The holder of an air traffic service assistant rating that has not expired as stated in subregulation (2) of regulation 65.03.9 may revalidate that rating, subject to holder having successfully completed the required training to regain currency as referred to in regulation 65.01.6 and the competency assessment referred to in subregulation (2) of regulation 65.03.10 confirming that the holder has retained or re-acquired the skills referred to in regulation 65.03.2.

(2) The Executive Director may re-issue an expired air traffic service assistant rating on application by the holder of the rating within a period of 24 months from the date of expiry of the rating: Provided that the holder:

- (a) attends refresher training at an approved ATO; or
- (b) attends augmentation training on advances or developments in the ATM systems at an approved ATO;
- (c) complies with the recency requirements as indicated in regulation 65.01.6; and
- (d) has achieved a minimum of 70% pass mark in simulated applicable assessments determined by a rating examiner as indicated in technical standard 65.03.2(7) in Document NAM-CATS 65.

(3) The Executive Director may require an applicant with an air traffic service assistant rating which has expired for more than 24 months to comply with the requirements of initial issue of that rating as prescribed in 65.03.4.

Renewal of the validation of an expired air traffic service assistant rating

65.03.12 Upon application for the renewal of the validation of an expired rating referred to in subregulation (2) of regulation 65.03.11, the Executive Director must renew the validation if the applicant has completed a minimum of 50 per cent of the experience referred to in regulation 65.03.5 and has successfully completed an assessment of competency undertaken by a validation examiner.

SUBPART 4: AERODROME CONTROL RATING**Requirements for aerodrome control rating**

65.04.1 An applicant for the issuing of an aerodrome control rating must:

- (a) be 18 years of age or older;
- (b) hold a valid air traffic service licence; and
- (c) have successfully completed the training referred to in regulation 65.04.2.

Training

65.04.2 An applicant for the issuing of an aerodrome control rating must have successfully completed the appropriate training set out in Document NAM-CATS 65.

Application for issuing of aerodrome control rating

65.04.3 An application for the issuing of an aerodrome control rating must be:

- (a) made to the Executive Director in the appropriate form as determined by the Executive Director within 6 months of completion of the training referred to in regulation 65.04.2; and
- (b) accompanied by:
 - (i) the appropriate certificate of competency set out in Document NAM-CATS 65, signed by a rating examiner;
 - (ii) the air traffic service licence held by the applicant;
 - (iii) the appropriate fee as prescribed in Part 187; and
 - (iv) original or certified proof of his or her age.

Issuing of aerodrome control rating

65.04.4 (1) The Executive Director must issue an aerodrome control rating if the applicant complies with the requirements referred to in regulation 65.04.1.

(2) The Executive Director must issue the aerodrome control rating in the appropriate form determined by the Executive Director.

(3) The aerodrome control rating expires if the holder of the rating has not commenced with validation training within a period of six months calculated from the date on which such rating was issued.

Requirements for validation of aerodrome control rating

65.04.5 (1) An applicant for the validation of an aerodrome control rating must, under the supervision of an air traffic service instructor (operational), have provided satisfactory aerodrome control services at the air traffic service unit for which the rating validation is sought for at least 90 hours or one month, whichever is greater, 50 per cent of which may be provided on an approved FSTD which accurately simulates the environment pertaining to the position for which the validation is sought.

(2) The experience referred to in subregulation (1) must be completed within the 12 months immediately following the issuance of the rating.

(3) The application for the validation of the rating must be made within six months from the completion of experience referred to in subregulation (1).

(4) To achieve the experience referred to in subregulation (1), the training required in terms of that subregulation may not be interrupted for a period of more than 3 months unless otherwise approved by the Executive Director.

(5) If the applicant for the validation of an aerodrome control rating is training for two or more ratings concurrently, the minimum experience required to validate all ratings is the experience required for the most demanding rating including at least an additional 50 hours.

Application for validation of aerodrome control rating

65.04.6 An application for the validation of an aerodrome control rating must be:

- (a) made to the Executive Director in the appropriate form as determined by the Executive Director; and
- (b) accompanied by:
 - (i) the appropriate certificate of competency, as set out in Document NAM-CATS 65, signed by a validation examiner confirming that the competency assessment has been successfully passed and the experience specified in regulation 65.04.5 has not been interrupted for a period of more than 3 months;
 - (ii) the air traffic service licence and rating held by the applicant; and
 - (iii) the appropriate fee as prescribed in Part 187.

Validation of aerodrome control rating

65.04.7 (1) The Executive Director must validate an aerodrome control rating if the applicant complies with the requirements referred to in regulation 65.04.5.

(2) The Executive Director must validate an aerodrome control rating in the appropriate form as determined by the Executive Director and the validation must specify the relevant ATS position, where applicable, upon which the holder is entitled to exercise the privileges of the rating.

Privileges of aerodrome control rating

65.04.8 The holder of a valid aerodrome control rating is entitled to:

- (a) provide aerodrome control services at the air traffic service unit for which the rating is validated, in accordance with the requirements set out in Document NAM-CATS 65: Provided that the holder:
 - (i) has familiarised himself or herself with all information that is pertinent or current at such air traffic service unit; and
 - (ii) has met the recency requirements as specified in regulation 61.01.6, as applicable; and
- (b) use the equipment to provide aerodrome control services, as appropriate.

Duration or renewal of aerodrome control rating

65.04.9 (1) An aerodrome control rating expires if the validation training has not commenced within six months of the date of issue of the rating.

(2) After validation, an aerodrome control rating expires if it is not revalidated within a period of 24 months, calculated from the date of the last competency assessment completed to renew the validation.

Duration or renewal of aerodrome control validation

65.04.10 (1) An aerodrome control validation is valid for a period not exceeding 12 months calculated from the date of the last competency assessment completed to renew such validation in accordance with the provisions of this regulation or regulation 65.04.11.

(2) To renew an aerodrome control validation, the holder of the validation must prior to the expiry of the validation, meet the recency requirements as indicated in regulation 65.01.6 and pass a competency assessment as set out in Document NAM-CATS 65, conducted by a validation examiner designated in terms of regulations 65.01.11.

(3) Subject to the provisions of subregulation (4), the validation examiner must provide the Executive Director with a signed certificate of competency as set out in Document NAM-CATS 65.

(4) If the result of the competency assessment contemplated in subregulation (2) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in regulation 65.04.8, the validation examiner must:

- (a) report such result to the Executive Director within seven days; who may suspend the applicable validation in writing; and

- (b) immediately inform the holder of the rating that he or she does not meet the requirements for revalidation of the rating and that he or she may not exercise the privileges of the rating until such time as he or she meet the requirements for revalidation or re-issue of the rating.

Renewal and re-issue of an expired aerodrome control rating

65.04.11 (1) The holder of an aerodrome control rating that has not yet expired in terms of subregulation (2) of regulation 65.04.9 may revalidate that rating, subject to the holder having successfully completed the required training to regain currency as referred to in regulation 65.01.6 and successfully completed a competency assessment referred to in subregulation (2) of regulation 65.04.10, confirming that the holder has retained or re-acquired the skills referred to in regulation 65.04.2.

(2) The Executive Director may re-issue an expired aerodrome control rating on application by the holder of the rating within a period of 24 months from the date of expiry: Provided that the applicant of the rating:

- (a) attends refresher training at an approved ATO;
- (b) attends augmentation training on advances or developments in the ATM systems at an approved Part 141 ATO;
- (c) complies with the recency requirements as indicated in regulation 65.01.6; and
- (d) has achieved a minimum of 70% pass mark in simulated applicable assessments determined by a rating examiner as indicated in technical standard 65.04.2(7) in Document NAM-CATS 65.

(3) The Executive Director may require an applicant with an aerodrome control rating which has expired for more than 24 months to comply with the requirement of initial issue of that rating as prescribed in regulation 65.04.4.

Renewal of the validation of an expired aerodrome control rating

65.04.12 Upon application for the renewal of the validation of an expired rating referred to in regulation 65.04.11(2) the Executive Director must renew the validation if the applicant has completed a minimum of 50% of the experience referred to in regulation 65.04.5 and has successfully completed a competency assessment undertaken by a validation examiner.

SUBPART 5: APPROACH CONTROL PROCEDURAL RATING

Requirements for approach control procedural rating

65.05.1 An applicant for the issuing of an approach control procedural rating must:

- (a) be 21 years of age or older;
- (b) hold a valid air traffic service licence; and
- (c) have successfully completed the training referred to in regulation 65.05.2.

Training

65.05.2 An applicant for the issuing of an approach control rating must have successfully completed the appropriate training set out in Document NAM-CATS 65.

Application for issuing of approach control procedural rating

65.05.3 An application for the issuing of an approach control procedural rating must be:

- (a) made to the Executive Director in the appropriate form as determined by the Executive Director within six months of completion of the training referred to in regulation 65.05.2; and
- (b) accompanied by:
 - (i) the appropriate certificate of competency as set out in Document NAM-CATS 65, signed by a rating examiner;
 - (ii) the air traffic service licence held by the applicant;
 - (iii) the appropriate fee as prescribed in Part 187; and
 - (iv) original or certified proof of the age of the applicant.

Issuing of approach control procedural rating

65.05.4 (1) The Executive Director must issue an approach control procedural rating if the applicant complies with the requirements referred to in regulation 65.05.1.

(2) The approach control procedural rating must be issued in the appropriate form as determined by the Executive Director.

(3) The approach control procedural rating expires if validation training has not commenced within a period of six months calculated from the date on which such rating was issued.

Requirements for validation of approach control procedural rating

65.05.5 (1) An applicant for the validation of an approach control procedural rating must, under the supervision of an air traffic service instructor (operational), have provided approach control procedural services at the air traffic service unit for which the rating validation is sought for at least 180 hours or three months whichever is greater, 50% of which may be provided on an approved FSTD which accurately simulates the environment pertaining to the position for which the validation is sought.

(2) The experience referred to in subregulation (1) must be completed within the 12 months immediately following the issuance of the rating.

(3) The application for the validation of the rating must be made within six months from the completion of experience referred to in subregulation (1).

(4) To achieve the experience referred to in subregulation (1), the training may not be interrupted for a period of more than three months unless otherwise approved by the Executive Director.

(5) If the applicant for the issuing of an approach control rating is training for two or more ratings concurrently, the minimum experience required to validate all ratings must be the experience required for the most demanding rating including at least an additional 50 hours.

Application for validation of approach control procedural rating

65.05.6 An application for the validation of an approach control procedural rating must be:

- (a) made to the Executive Director in the appropriate form as determined by the Executive Director; and
- (b) accompanied by:
 - (i) the appropriate certificate of competency, as set out in Document NAM-CATS 65, signed by a validation examiner confirming that the competency assessment has been successfully passed and the experience specified in regulation 65.05.5 has not been interrupted for a period of more than 3 months;
 - (ii) the air traffic service licence and rating held by the applicant; and
 - (iii) the appropriate fee as prescribed in Part 187.

Validation of approach control procedural rating

65.05.7 (1) The Executive Director must validate an approach control procedural rating if:

- (a) the applicant complies with the requirements referred to in regulation 65.05.5.
- (b) the applicant is a fit and proper person within the meaning of section 69 of the Act to exercise the privileges of the validation in accordance with the provisions of the Act; and
- (c) the issue of the validation is not contrary to the interests of aviation safety.

(2) The approach control procedural rating must be validated in the appropriate form as determined by the Executive Director and the validation must specify the relevant ATS position, where applicable, upon which the holder is entitled to exercise the privileges of the rating.

Privileges of approach control procedural rating

65.05.8 The holder of a valid approach control procedural rating is entitled to:

- (a) provide approach control procedural services at the air traffic service unit for which the rating is validated, in accordance with the requirements set out in Document NAM-CATS 65: Provided that he or she has:
 - (i) familiarised himself or herself with all information that is pertinent or current at such air traffic service unit; and
 - (ii) met the recency requirements as specified in regulation 65.01.6, as applicable; and

- (b) use the equipment to provide such approach control services, as appropriate.

Duration or renewal of approach control procedural rating

65.05.9 (1) An approach control procedural rating expires if the validation training required in terms of regulation 65.05.5 has not commenced within six months of the date of issue of the rating.

(2) After validation, an approach control procedural rating expires if it is not revalidated within a period of 24 months, calculated from the date of the last competency assessment completed to renew the validation.

Duration or renewal of approach control procedural validation

65.05.10 (1) An approach control procedural validation is valid for a period not exceeding 12 months calculated from the date of the last competency assessment completed to renew such validation in accordance with the provisions of this regulation or regulation 65.05.11.

(2) To renew an approach control procedural validation the holder of the validation must prior to the expiry of the validation meet the recency requirements as indicated in regulation 65.01.6 and have passed a competency assessment set out in Document NAM-CATS 65, conducted by a validation examiner designated in terms of regulation 65.01.11.

(3) Subject to the provisions of subregulation (4), the validation examiner must provide the Executive Director with a signed certificate of competency set out in Document NAM-CATS 65.

(4) If the result of the competency assessment contemplated in subregulation (2) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in regulation 65.05.8, the validation examiner must:

- (a) report such result to the Executive Director within seven day, who may suspend the applicable validation in writing; and
- (b) immediately inform the holder of the rating that he or she does not meet the requirements for revalidation of the rating and that he or she may not exercise the privileges of the rating until such time that he or she meets the requirements for revalidation or re-issue of the rating.

Renewal and re-issue of an expired approach control procedural rating

65.05.11 (1) The holder of an approach control procedural rating that has not yet expired in terms of subregulation (2) of regulation 65.05.9 may revalidated that rating subject to the holder having successfully completed the required training to regain currency as referred to in regulation 65.01.6 and successfully completed a competency assessment referred to in subregulation (2) of regulation 65.05.10, confirming that the holder has retained or re-acquired the skills referred to in regulation 65.05.2.

(2) The Executive Director may re-issue an expired approach control procedural rating on application by the holder of the rating within a period of 24 months from the date of expiry: Provided that the applicant:

- (a) attends refresher training at an approved ATO;

- (b) attends augmentation training on advances or developments in the ATM systems at an approved ATO;
- (c) meets the recency requirements as specified in regulation 61.01.6; and
- (d) has achieved a minimum of 70% pass mark in simulated applicable assessments determined by a rating examiner as indicated in technical standard 65.05.2(7) in Document NAM-CATS 65.

(3) The Executive Director may require an applicant with an approach control rating which has expired for more than 24 months to comply with the requirements of initial issue of that rating as prescribed in regulation 65.05.4.

Renewal of the validation of an expired approach control procedural rating

65.05.12 Upon application for the renewal of the validation of an expired rating referred to in regulation 65.05.11(2) the Executive Director must renew the validation if the applicant has completed a minimum of 50 per cent of the experience referred to in regulation 65.05.5 and has successfully completed a competency assessment undertaken by a validation examiner.

SUBPART 6 AREA CONTROL PROCEDURAL RATING

Requirements for area control procedural rating

65.06.1 An applicant for the issuing of an area control procedural rating must:

- (a) be 21 years of age or older;
- (b) hold a valid air traffic service licence; and
- (c) have successfully completed the training referred to in regulation 65.06.2.

Training

65.06.2 An applicant for the issuing of an area control procedural rating must have successfully completed the appropriate training set out in Document NAM-CATS 65.

Application for issuing of area control procedural rating

65.06.3 An application for the issuing of an area control procedural rating must be:

- (a) made to the Executive Director in the appropriate form as determined by the Executive Director within six months of completion of the training referred to in regulation 65.06.2; and
- (b) accompanied by:
 - (i) the appropriate certificate of competency set out in Document NAM-CATS 65, signed by a rating examiner;
 - (ii) the air traffic service licence held by the applicant;
 - (iii) the appropriate fee as prescribed in Part 187; and

- (iv) original or certified proof of the age of the applicant.

Issuing of area control procedural rating

65.06.4 (1) The Executive Director must issue an area control procedural rating if the applicant complies with the requirements referred to in regulation 65.06.1.

(2) The Executive Director must issue the area control procedural rating in the appropriate form as determined by the Executive Director.

(3) The area control procedural rating expires if validation training has not commenced within a period of six months calculated from the date on which such rating was issued.

Requirements for validation of area control procedural rating

65.06.5 (1) An applicant for the validation of an area control procedural rating must, under the supervision of an air traffic service instructor (operational), have provided area control procedural services at the air traffic service unit for which the rating is sought for at least 180 hours or three months, whichever is greater, 50 per cent of which may be provided on an approved FSTD which accurately simulates the environment pertaining to the position for which the validation is sought.

(2) The experience referred to in subregulation (1) must be completed within the 12 months immediately following the issuance of the rating.

(3) The application for the validation of the area control procedural rating must be made within six months from the completion of experience referred to in subregulation (1).

(4) To achieve the experience referred to in (1), the training may not be interrupted for a period of more than three months unless otherwise approved by the Executive Director.

(5) If the applicant validation of an area control procedural rating is training for two or more ratings concurrently, the minimum experience required to validate all ratings is the experience required for the most demanding rating including at least an additional 50 hours.

Application for validation of area control procedural rating

65.06.6 An application for the validation of an area control procedural rating must be:

- (a) made to the Executive Director in the appropriate form as determined by the Executive Director; and
- (b) accompanied by:
 - (i) the appropriate certificate of competency set out in Document NAM-CATS 65, signed by a validation examiner confirming that the competency assessment has been successfully passed and the experience specified in regulation 65.06.5 has not been interrupted for a period of more than three months;
 - (ii) the air traffic service licence and rating held by the applicant; and
 - (iii) the appropriate fee as prescribed in Part 187.

Validation of area control procedural rating

65.06.7 (1) The Executive Director must validate an area control procedural rating if the applicant complies with the requirements referred to in regulation 65.06.5.

(2) Executive Direction must validate the area control procedural rating in the appropriate form as determined by the Executive Director and the validation must specify the relevant ATS position, where applicable, upon which the holder is entitled to exercise the privileges of the rating.

Privileges of area control procedural rating

65.06.8 The holder of a valid area control procedural rating is entitled to provide area control procedural services at the air traffic service unit for which the rating is validated, in accordance with the requirements set out in Document NAM-CATS 65: Provided that he or she has:

- (a) familiarised himself or herself with all information that is pertinent or current at such air traffic service unit and has met the recency requirements as specified in regulation 61.01.6, as applicable; and
- (b) use such equipment to provide such area control procedural services, as appropriate.

Duration of area control procedural rating

65.06.9 (1) An area control procedural rating expires if the validation training has not commenced within six months of the date of issue of the rating.

(2) After validation, an area control procedural rating expires if it is not revalidated within a period of 24 months, calculated from the date of the last competency assessment completed to renew the validation.

Duration or renewal of area control procedural validation

65.06.10 (1) An area control procedural validation is valid for a period not exceeding 12 months calculated from the date of the last competency assessment completed to renew such validation in accordance with the provisions of this regulation or regulation 65.06.11.

(2) To renew an area control procedural validation, the holder of the rating must prior to the expiry of the validation, meet the recency requirements as indicated in regulation 65.01.6 and have passed a competency assessment set out in Document NAM-CATS 65, conducted by a validation examiner designated in terms of regulation 65.01.11.

(3) Subject to the provisions of subregulation (4), the validation examiner must provide the Executive Director with a signed certificate of competency set out in Document NAM-CATS 65.

(4) If the result of the competency assessment contemplated in subregulation (2) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in regulation 65.06.8, the validation examiner must:

- (a) report such result to the Executive Director within seven days, who may suspend the applicable validation; and

- (b) immediately inform the holder of the rating that he or she does not meet the requirements for revalidation of the rating and that he or she may not exercise the privileges of the rating until such time that he or she meets the requirements for revalidation or re-issue of the rating.

Renewal and re-issue of an expired area control procedural rating

65.06.11 (1) The holder of an area control procedural rating that has not yet expired in terms of subregulation (2) of regulation 65.06.9 may revalidate that rating, subject to the holder having successfully completed the required training to regain currency as referred to in regulation 65.01.6 and successfully completed a competency assessment referred to in 65.04.10(2), confirming that the holder has retained or re-acquired the skills referred to in regulation 65.04.2

(2) The Executive Director may re-issue an expired area control procedural rating on application by the holder of the rating within a period of 24 months has elapsed from the date of expiry: Provided that the applicant:

- (a) attends refresher training at an approved ATO;
- (b) attends augmentation training on advances or developments in the ATM systems at an approved ATO;
- (c) meets the recency requirements as specified in regulation 61.01.6; and
- (d) has achieved a minimum of 70 per cent pass mark in simulated applicable assessments determined by a rating examiner as indicated in technical standard 65.06.2(7) in Document NAM-CATS 65.

(3) The Executive Director may require an applicant with an area control rating which has expired for more than 24 months to comply with the requirements of initial issue of that rating as prescribed in regulation 65.06.4.

Renewal of the validation of an expired area control procedural rating

65.06.12 Upon application for the renewal of the validation of an expired rating referred to in regulation 65.06.11(2) the Executive Director must renew the validation if the applicant has completed a minimum of 50 per cent of the experience referred to in regulation 65.06.5 and has successfully completed a competency assessment undertaken by a validation examiner.

SUBPART 7 APPROACH CONTROL SURVEILLANCE RATING

Requirements for approach control surveillance rating

65.07.1 An applicant for the issuing of an approach control surveillance rating must:

- (a) be 21 years of age or older;
- (b) hold a valid air traffic service licence; and
- (c) have successfully completed the training referred to in regulation 65.07.2.

Training

65.07.2 An applicant for the issuing of an approach control surveillance rating must have successfully completed the appropriate training set out in Document NAM-CATS 65.

Application for issuing of approach control surveillance rating

65.07.3 An application for the issuing of an approach control surveillance rating must be:

- (a) made to the Executive Director in the appropriate form as determined by the Executive Director within six months of completion of the training referred to in regulation 65.07.2; and
- (b) be accompanied by:
 - (i) the appropriate certificate of competency as set out in Document NAM-CATS 65, signed by a rating examiner;
 - (ii) the air traffic service licence held by the applicant;
 - (iii) the appropriate fee as prescribed in Part 187; and
 - (iv) acceptable original or certified evidence of his or her age.

Issuing of approach control surveillance rating

65.07.4 (1) The Executive Director must issue an approach control surveillance rating if the applicant complies with the requirements referred to in regulation 65.07.1.

(2) The Executive Director must issue the approach control surveillance rating in the appropriate form as determined by the Executive Director.

(3) The approach control surveillance rating expires if validation training has not commenced within a period of six months calculated from the date on which such rating was issued.

Requirements for validation of approach control surveillance rating

65.07.5 (1) An applicant for the validation of an approach control surveillance rating must, under the supervision of an air traffic service instructor (operational), have provided approach control surveillance services at the air traffic service unit for which the rating validation is sought for at least 180 hours or three months, whichever is greater and 50 per cent of which may be provided on an approved FSTD which accurately simulates the environment pertaining to the position for which the validation is sought.

(2) If the approach surveillance rating includes precision radar control, the experience referred to in subregulation (1) must include not less than 200 precision approaches of which:

- (a) not more than 100 must have been carried out on a radar simulator approved for that purpose by the Authority; and
- (b) not less than 50 of those precision approaches must have been carried out at the unit and on the equipment for which the rating is sought.

(3) The experience referred to in subregulation (1) must be completed within the 12 months immediately following the issuance of the rating.

(4) The application for the validation of the rating must be made within six months from the completion of experience referred to in subregulation (1).

(5) To achieve the experience referred to in subregulation (1) the training required in terms of that subregulation may not be interrupted for a period of more than three months unless otherwise approved by the Executive Director.

(6) If the applicant for the validation of an approach control surveillance rating is training for two or more ratings concurrently, the minimum experience required to validate all ratings must be the experience required for the most demanding rating including at least an additional 50 hours.

Application for validation of approach control surveillance rating

65.07.6 An application for the validation of an approach control surveillance rating must be:

- (a) made to the Executive Director in the appropriate form as determined by the Executive Director; and
- (b) accompanied by:
 - (i) the appropriate certificate of competency set out in Document NAM-CATS 65, signed by a validation examiner confirming that the competency assessment has been successfully passed and the experience specified in regulation 65.07.5 has not been interrupted for a period of more than 3 months;
 - (ii) the air traffic service licence and rating held by the applicant; and
 - (iii) the appropriate fee as prescribed in Part 187.

Validation of approach control surveillance rating

65.07.7 (1) The Executive Director must validate an approach control surveillance rating if the applicant complies with the requirements referred to in regulation 65.07.5.

(2) The Executive Director must validate the approach control surveillance rating in the appropriate form as determined by the Executive Director and the validation must specify the relevant ATS position, where applicable, upon which the holder is entitled to exercise the privileges of the rating.

Privileges of approach control surveillance rating

65.07.8 The holder of a valid approach control surveillance rating is entitled to:

- (a) provide approach control surveillance services at the air traffic service unit for which the rating is validated, in accordance with the requirements set out in Document NAM-CATS 65: Provided that he or she has:
 - (i) familiarised himself or herself with all information that is pertinent or current at such air traffic service unit; and
 - (ii) met the recency requirements as specified in regulation 61.01.6, as applicable; and
- (b) use the equipment to provide such approach control surveillance services, as appropriate.

Duration of approach control surveillance rating

65.07.9 (1) An approach control surveillance rating expires if the validation training has not commenced within six months of the date of issue of the rating.

(2) After validation, an approach control surveillance rating expires if it is not revalidated within a period of 24 months, calculated from the date of the last competency assessment completed to renew the validation.

Duration or renewal of approach control surveillance validation

65.07.10 (1) Unless revoked or suspended in terms of the Act, an approach control surveillance validation is valid for a period not exceeding 12 months calculated from the date of the last competency assessment conducted for the renewal of the validation in accordance with the provisions of this regulation or regulation 65.07.11.

(2) To renew an approach control surveillance validation, the holder of the validation must prior to the expiry of the validation, meet the recency requirements as indicated in regulation 65.01.6 and have passed a competency assessment set out in Document NAM-CATS 65, conducted by a validation examiner designated in terms of regulation 65.01.11.

(3) Subject to the provisions of subregulation (4), the validation examiner must provide the Executive Director with a signed certificate of competency as set out in Document NAM-CATS 65.

(4) If the result of the competency assessment contemplated in subregulation (2) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in regulation 65.07.8, the validation examiner must:

- (a) report such result to the Executive Director within seven days, who may suspend the applicable validation in writing; and
- (b) immediately inform the holder of the rating that he or she does not meet the requirements for revalidation of the rating and that he or she may not exercise the privileges of the rating until such time that he or she meets the requirements for revalidation or re-issue of the rating.

Renewal and re-issue of an expired approach control surveillance rating

65.07.11 (1) The holder of an approach control surveillance rating that has not expired in terms of subregulation (2) of regulation 65.07.9 may revalidate that rating subject to the holder having successfully completed the required training to regain currency as referred to in regulation 65.01.6 and successfully completed a competency assessment referred to in subregulation (2) of regulation 65.07.10, confirming that the holder has retained or re-acquired the skills referred to in regulation 65.07.2

(2) The Executive Director may re-issue an expired approach control surveillance rating on application by the holder of the rating within a period of 24 months from the date of expiry: Provided that the applicant of the rating:

- (a) attends refresher training at an approved ATO;
- (b) attends augmentation training on advances or developments in the ATM systems at an approved ATO;

- (c) meets the recency requirements as specified in regulation 61.01.6; and
- (d) has achieved a minimum of 70% pass mark in simulated applicable assessments determined by a rating examiner as indicated in technical standard 65.07.2(7) in Document NAM-CATS 65.

(3) The Executive Director may require an applicant with an approach control surveillance rating which has expired for more than 24 months to comply with the requirements of initial issue of that rating as prescribed in regulation 65.07.3.

Renewal of the validation of an expired approach control surveillance rating

65.07.12 Upon application for the renewal of the validation of an expired rating referred to in regulation 65.07.11(2) the Executive Director must renew the approach control surveillance rating validation if the applicant has completed a minimum of 50 per cent of the experience referred to in regulation 65.07.5 and has successfully completed a competency assessment undertaken by a validation examiner.

SUBPART 8 AREA CONTROL SURVEILLANCE RATING

Requirements for area control surveillance rating

65.08.1 An applicant for the issuing of an area control surveillance rating must:

- (a) be 21 years of age or older;
- (b) hold a valid air traffic service licence; and
- (c) have successfully completed the training referred to in regulation 65.08.2.

Training

65.08.2 An applicant for the issuing of an area control surveillance rating must have successfully completed the appropriate training set out in Document NAM-CATS 65.

Application for issuing of area control surveillance rating

65.08.3 An application for the issuing of an area control surveillance rating must be:

- (a) made to the Executive Director in the appropriate form as determined by the Executive Director within six months of completion of the training referred to in regulation 65.08.2; and
- (b) be accompanied by:
 - (i) the appropriate certificate of competency set out in Document NAM-CATS 65, signed by a rating examiner;
 - (ii) the air traffic service licence held by the applicant;
 - (iii) the appropriate fee as prescribed in Part 187; and
 - (iv) acceptable original or certified evidence of his or her age.

Issuing of area control surveillance rating

65.08.4 (1) The Executive Director must issue an area control surveillance rating if the applicant complies with the requirements referred to in regulation 65.08.1.

(2) The Executive Director must issue the area control surveillance rating in the appropriate form as determined by the Executive Director.

(3) The area control surveillance rating expires if validation training has not commenced within a period of six months calculated from the date on which such rating was issued.

Requirements for validation of area control surveillance rating

65.08.5 (1) An applicant for the validation of an area control surveillance rating must, under the supervision of an air traffic service instructor (operational), have provided area control surveillance services at the air traffic service unit for which the rating validation is sought for at least 180 hours or three months, whichever is greater and 50 per cent of which may be provided on an approved FSTD which accurately simulates the environment pertaining to the position for which the validation is sought.

(2) The experience referred to in subregulation (1) must be completed within the 12 months immediately following the issuance of the rating.

(3) The application for the validation of the rating must be made within six months from the completion of experience referred to in subregulation (1).

(4) To achieve the experience referred to in subregulation (1) the training may not be interrupted for a period of more than three months unless otherwise approved by the Executive Director.

(5) If the applicant is training for two or more ratings concurrently, the minimum experience required to validate all ratings must be the experience required for the most demanding rating including at least an additional 50 hours.

Application for validation of area control surveillance rating

65.08.6 An application for the validation of an area control surveillance rating must be:

- (a) made to the Executive Director in the appropriate form as determined by the Executive Director; and
- (b) accompanied by:
 - (i) the appropriate certificate of competency set out in Document NAM-CATS 65, signed by a validation examiner confirming that the competency assessment has been successfully passed and the experience specified in regulation 65.08.5 has not been interrupted for a period of more than 3 months;
 - (ii) the air traffic service licence and rating held by the applicant; and
 - (iii) the appropriate fee as prescribed in Part 187.

Validation of area control surveillance rating

65.08.7 (1) The Executive Director must validate an area control surveillance rating if:

- (a) the applicant complies with the requirements referred to in regulation 65.08.5;
- (b) the applicant is a fit and proper person within the meaning of section 69 of the Act to exercise the privileges of the validation in accordance with the provisions of the Act, and
- (c) the issue of the validation is not contrary to the interests of aviation safety.

(2) The rating must be validated in the appropriate form as determined by the Executive Director and the validation must specify the relevant ATS position, where applicable, upon which the holder is entitled to exercise the privileges of the rating.

Privileges of area control surveillance rating

65.08.8 The holder of a valid area control surveillance rating is entitled to:

- (a) provide area control surveillance services at the air traffic service unit for which the rating is validated, in accordance with the requirements set out in Document NAM-CATS 65: Provided that he or she has familiarised himself or herself with all information that is pertinent or current at such air traffic service unit and met the recency requirements as specified in regulation 61.01.6, as applicable; and
- (b) to use the equipment to provide such area control surveillance services, as appropriate.

Duration of area control surveillance rating

65.08.9 (1) An area control surveillance rating expires if the validation training has not commenced within six months from the date of issue of the rating.

(2) After validation, an area control surveillance rating expires if it is not revalidated within a period of 24 months, calculated from the date of the last competency assessment completed to renew the validation.

Duration or renewal of area control surveillance validation

65.08.10 (1) An area control surveillance validation is valid for a period not exceeding 12 months calculated from the date of the last competency assessment completed to renew such validation in accordance with the provisions of this regulation or regulation 65.08.11.

(2) To renew an area control surveillance validation the holder of the validation must prior to the expiry of the validation meet the recency requirements as indicated in regulation 65.01.6 and have passed a competency assessment set out in Document NAM-CATS 65, conducted by a validation examiner designated in terms of regulation 65.01.11.

(3) Subject to the provisions of subregulation (4), the validation examiner must provide the Executive Director with a signed certificate of competency set out in Document NAM-CATS 65.

(4) If the result of the competency assessment contemplated in subregulation (2) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in regulation 65.08.8, the validation examiner must:

- (a) report such result to the Executive Director; within seven days, who may suspend the applicable validation in writing; and
- (b) immediately inform the holder of the rating that he or she does not meet the requirements for revalidation of the rating and that he or she may not exercise the privileges of the rating until such time that he or she meets the requirements for revalidation or re-issue of the rating.

Renewal and re-issue of an expired area control surveillance rating

65.08.11 (1) The holder of an area control surveillance rating that has not yet expired in terms of subregulation (2) of regulation 65.08.9, may revalidate that rating subject to the holder having successfully completed the required training to regain currency as referred to in regulation 65.01.6 and successfully completed a competency assessment referred to in subregulation (2) of 65.08.10, confirming that the holder has retained or re-acquired the skills referred to in regulation 65.08.2

(2) The Executive Director may re-issue an area control surveillance rating on application by the holder of the rating within a period of 24 months from the date of expiry, Provided that the applicant of the rating:

- (a) attends refresher training at an approved ATO;
- (b) attends augmentation training on advances or developments in the ATM systems at an approved ATO;
- (c) meets the recency requirements as specified in regulation 61.01.6; and
- (d) has achieved a minimum of 70 per cent pass mark in simulated applicable assessments determined by a rating examiner as indicated in technical standard 65.08.2(7) in Document NAM-CATS 65.

(3) The Executive Director may require an applicant with an area control surveillance rating which has expired for more than 24 months to comply with the requirements of initial issue of that rating as prescribed in 65.08.3.

Renewal of the validation of an expired area control surveillance rating

65.08.12 Upon application for the renewal of the validation of an expired rating referred to in regulation 65.08.11(2) the Executive Director must renew the validation if the applicant has completed a minimum of 50 per cent of the experience referred to in regulation 65.08.5, and has successfully completed a competency assessment undertaken by a validation examiner.

SUBPART 9 AIR TRAFFIC SERVICE INSTRUCTOR (OPERATIONAL) RATING**Requirements for air traffic service instructor (operational) rating**

65.09.1 An applicant for the issuing of an air traffic service instructor (operational) rating must:

- (a) be 21 years of age or older;
- (b) hold a valid air traffic service licence;
- (c) hold at least one valid air traffic service rating; and
- (d) have successfully completed the training referred to in regulation 65.09.2.

Training

65.09.2 An applicant for the issuing of an air traffic service instructor (operational) rating must have successfully completed the appropriate training set out in Document NAM-CATS 65.

Application for issuing of air traffic service instructor (operational) rating

65.09.3 An application for the issuing of an air traffic service instructor (operational) rating must be:

- (a) made to the Executive Director in the appropriate form determined by the Executive Director within six months of completion of the training referred to in regulation 65.09.2; and
- (b) accompanied by:
 - (i) the appropriate certificate of competency as set out in Document NAM-CATS 65, signed by a rating examiner;
 - (ii) the air traffic service licence held by the applicant;
 - (iii) the appropriate fee as prescribed in Part 187; and
 - (iv) acceptable original or certified evidence of his or her age.

Issuing of air traffic service instructor (operational) rating

65.09.4 (1) The Executive Director must issue an air traffic service instructor (operational) rating if the applicant complies with the requirements referred to in regulation 65.09.1.

(2) The Executive Director must issue the air traffic service instructor (operational) in the appropriate form as determined by the Executive Director.

(3) The air traffic service instructor (operational) rating expires if validation training has not commenced within a period of 6 months calculated from the date on which such rating was issued.

Requirements for validation of air traffic service instructor (operational) rating

65.09.5 An applicant for the validation of an air traffic service instructor (operational) rating must have at least:

- (a) 24 months practical experience as an air traffic controller;
- (b) 12 months practical experience as an air traffic service assistant, appropriate to the rating and sector being validated; or
- (c) conducted at least five training session under the supervision of an air traffic service instructor (operational).

Application for validation of air traffic service instructor (operational) rating

65.09.6 An application for the validation of an air traffic service instructor (operational) rating must be:

- (a) made to the Executive Director in the appropriate form as determined by the Executive Director; and
- (b) be accompanied by:
 - (i) the appropriate certificate of competency set out in Document NAM-CATS 65, signed by a validation examiner confirming that the competency assessment has been successfully passed and the experience specified in regulation 65.09.5 has not been met;
 - (ii) the air traffic service licence and rating held by the applicant; and
 - (iii) the appropriate fee as prescribed in Part 187.

Validation of air traffic service instructor (operational) rating

65.09.7 (1) The Executive Director must validate an air traffic service instructor (operational) rating if he or she is satisfied that:

- (a) the applicant complies with the requirements referred to in regulation 65.09.5;
 - (b) the applicant is competent to exercise the privileges referred to in regulation 65.09.8;
 - (c) the applicant is a fit and proper person within the meaning of section 69 of the Act, to exercise the privileges of the validation in accordance with the provisions of the Act, and
 - (d) the issue of the validation is not contrary to the interests of aviation safety.
- (2) The Executive Director must validate the air traffic service instructor (operational) rating in the appropriate form as determined by the Executive Director.

Privileges of air traffic service instructor (operational) rating

65.09.8 The holder of a valid air traffic service instructor (operational) rating is entitled to:

- (a) give operational instruction or on the job training on any of the valid aerodrome control, approach control, approach control surveillance, area control or area control surveillance ratings held by him or her for longer than 24 months or on any of the valid air traffic service assistant service flight information service or aerodrome flight information service ratings held by him or her for longer than 12 months; and
- (b) act as a validation examiner in any of the valid ratings held by him or her, if designated by the Executive Director in terms of regulation 65.01.11.

Duration of air traffic service instructor (operational) rating

65.09.9 (1) An air traffic service instructor (operational) rating expires if the validation training has not commenced within six months of the date of issue of the rating.

(2) After validation, an air traffic services instructor (operational) rating expires if it is not revalidated within a period of 36 months, calculated from the date of the last competency assessment completed to renew the validation.

Duration or renewal of air traffic service instructor (operational) validation

65.09.10 (1) An air traffic service instructor (operational) rating may be validated or renewed for a period of 24 months calculated from the date of last competency assessment of the rating for its renewal in accordance with the provisions of regulation 65.09.11.

(2) To renew an air traffic service instructor (operational) validation, the holder of the validation must, prior to the expiry of the validation, have passed a competency assessment set out in Document NAM-CATS 65, conducted by a validation examiner designated in terms of regulation 65.01.9.

(3) Subject to the provisions of subregulation (4), the validation examiner must provide the Executive Director with a signed certificate of competency set out in Document NAM-CATS 65.

(4) If the result of the competency assessment reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in regulation 65.09.8, the validation examiner must:

- (a) report such result to the Executive Director within seven days, who may suspend the applicable validation in writing; and
- (b) immediately inform the holder of the rating that he or she does not meet the requirements for revalidation of the rating and that he or she may not exercise the privileges of the rating until such time that he or she meets the requirements for revalidation or re-issue of the rating.

Renewal or re-issue of air traffic service instructor (operational) rating

65.09.11 (1) The holder of an air traffic service instructor (operational) assistant rating that has not yet expired in terms of subregulation (2) of regulation 65.09.9 may revalidate that rating, if the competency assessment referred to in subregulation (2) of regulation 65.09.10 confirms that the holder has retained or re-acquired the skills referred to in regulation 65.09.2.

(2) The Executive Director may re-issue air traffic service instructor (operational) rating on application by the holder of the rating within a period of 24 months from the date of expiry of the rating: Provided that the applicant of the rating:

- (a) attends refresher training;
- (b) attends augmentation training on advances or developments in the ATM systems and instructional techniques; and
- (c) has achieved a minimum of 70 per cent pass mark in simulated applicable assessments determined by a rating examiner as indicated in technical standard 65.09.2(7) in Document NAM-CATS 65.

(3) The Executive Director may require an applicant with an air traffic service instructor (operational) rating which has expired for more than 24 months to comply with the requirements of initial issue of that rating as prescribed in 65.09.3.

(4) An application for a re-issue of an expired rating referred to in subregulation (2) must be:

- (a) made in the appropriate form as determined by the Executive Director; and
- (b) accompanied by:
 - (i) acceptable evidence of the applicant's competency to exercise the privileges referred to in regulation 65.09.8;
 - (ii) the air traffic service licence and rating held by the applicant; and
 - (iii) the appropriate fee as prescribed in Part 187.

(5) The Executive Director must revalidate or re-issue the air traffic service instructor (operational) rating in the appropriate form as determined by the Executive Director.

Renewal of the validation of an expired air traffic service instructor (operational) rating

65.9.12 Upon application for the renewal of the validation of an expired rating referred to in regulation 65.9.11 the Executive Director must renew the validation if the applicant has completed the training referred to in subregulation (2) of regulation 65.9.11 and has successfully completed a competency assessment undertaken by a validation examiner.

SUBPART 10 AIR TRAFFIC SERVICE INSTRUCTOR CERTIFICATE (ATO)

Requirements for air traffic service instructor certificate

65.10.1 An applicant for the issuing of an air traffic service instructor certificate must:

- (a) 21 years of age or older;
- (b) hold an air traffic service licence;
- (c) hold or have held and have validated the appropriate ratings for which ATS Instruction is to be provided;

- (d) have at least two years practical experience on the air traffic service rating which has been validated;
- (e) have held an air traffic service instructor rating for at least two years; and
- (f) have successfully completed the training referred to in regulation 65.10.2.

Training

65.10.2 An applicant for the issuing of an air traffic service instructor certificate must have successfully completed the appropriate training as set out in Document NAM-CATS 65.

Application for issuing of air traffic service instructor certificate

65.10.3 An application for the issuing of an air traffic service instructor certificate must be:

- (a) made to the Executive Director in the appropriate form as determined by the Executive Director within 6 months of completion of the training referred to in regulation 65.10.2; and
- (b) accompanied by:
 - (i) proof of the applicant's competency to exercise the privileges referred to in regulation 65.10.5;
 - (ii) the air traffic service licence held by the applicant;
 - (iii) the appropriate fee as prescribed in Part 187; and
 - (iv) acceptable original or certified evidence of his or her age.

Issuing of air traffic service instructor certificate

65.10.4 (1) The Executive Director must issue an air traffic service instructor certificate if he or she is satisfied that:

- (a) the applicant complies with the requirements referred to in regulation 65.10.1;
- (b) the applicant is a fit and proper person within the meaning of section 69 of the Act to exercise the privileges of the certificate in accordance with the provisions of the Act, and
- (c) the issue of the certificate is not contrary to the interests of aviation safety.

(2) The Executive Director must issue the air traffic service instructor certificate in the appropriate form as determined by the Executive Director.

Privileges of air traffic service instructor certificate

65.10.5 The holder of an air traffic service instructor certificate is entitled to:

- (a) give academic or practical simulator instruction on any of the valid ratings which has been held by him or her; and

- (b) act as a rating examiner in any of the ratings held by him or her, if designated by the Executive Director in terms of regulation 65.01.9.

Duration of certificate and renewal

65.10.6 An air traffic service instructor certificate must be issued or renewed for a period of 24 months calculated from the date on which the certificate was issued or from the date of expiry of the certificate if such certificate is renewed in accordance with the provisions of regulation 65.10.7.

Renewal of air traffic service instructor certificate

65.10.7 (1) To renew an air traffic service instructor certificate, the holder of the certificate must within the 90 days immediately preceding the date of expiry of the certificate, apply to the Executive Director for the renewal of such certificate.

- (2) An application for a renewal of the air traffic service instructor certificate must be:

- (a) made in the appropriate form as determined by the Executive Director; and

- (b) be accompanied by:

- (i) proof of the applicant's competency to exercise the privileges referred to in regulation 65.10.5;
- (ii) the air traffic service licence held by the applicant; and
- (iii) the appropriate fee as prescribed in Part 187.

(3) The Executive Director must renew the air traffic service instructor certificate if the Executive Director is satisfied that:

- (a) the applicant is competent to exercise the privileges referred to in regulation 65.10.5;
- (b) the applicant is a fit and proper person within the meaning of section 69 of the Act to exercise the privileges of the certificate in accordance with the provisions of the Act, and
- (c) the renewal of the certificate is not contrary to the interests of aviation safety.

(4) The air traffic service instructor certificate must be renewed in the appropriate form as determined by the Executive Director.

PART 66**AIRCRAFT MAINTENANCE ENGINEER LICENCING****SUBPART 1 GENERAL**

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- 66.04.17 Register of approved person
- 66.04.18 Responsibilities of certificate holder

SUBPART 1 GENERAL

Applicability

66.01.1 This Part prescribes the requirements relating to:

- (a) the issuing of licences and ratings for Namibian aircraft maintenance engineers, the privileges and limitations of such licences and ratings;
- (b) the validation of foreign aircraft maintenance engineer licences and ratings and the privileges and limitations of such validations;
- (c) the conversion of aircraft maintenance engineer licences issued by appropriate authorities; and
- (d) the issuing of approvals to approved persons authorised in terms of Subpart 4 to carry out maintenance on Namibian registered non-type certificated aircraft and as well as engines, components and equipment of such aircraft as prescribed in Subpart 4.

Authority to act as aircraft maintenance engineer

66.01.2 (1) A person may not act as a maintenance engineer of an aircraft unless such person is the holder of a valid aircraft maintenance engineer licence with the appropriate rating issued or validated by the Executive Director in terms of this Part.

(2) The holder of an aircraft maintenance engineer licence may not exercise privileges other than the privileges granted by the licence and the appropriate rating held by such holder.

Classes of licences

66.01.3 The classes of aircraft maintenance engineer licences are:

- (a) a Class I aircraft maintenance engineer licence; and
- (b) a Class II aircraft maintenance engineer licence.

Groups of airframes and engines

66.01.4 (1) For the purposes of licensing aircraft maintenance engineers, airframes are classified into the following groups, for all types endorsed in the aircraft maintenance engineer's logbook:

- (a) Group 1 – aeroplanes of wooden construction, with a maximum certificated mass of 5 700 kilograms or less;
- (b) Group 2 – aeroplanes constructed of composites, with a maximum certificated mass of 5 700 kilograms or less;
- (c) Group 3 – aeroplanes of fabric-covered tubular-metal construction, with a maximum certificated mass of 5 700 kilograms or less;

- (d) Group 4 – unpressurised aeroplanes of all-metal construction, with a maximum certificated mass of 5 700 kilograms or less;
 - (e) Group 5 – pressurised aeroplanes of all-metal construction, with a maximum certificated mass of 5 700 kilograms or less;
 - (f) Group 6 – unpressurised aeroplanes of all-metal construction, with a maximum certificated mass exceeding 5 700 kilograms;
 - (g) Group 7 – rotorcraft powered by reciprocating engines;
 - (h) Group 8 – pressurised aeroplanes of all-metal construction, with a maximum certificated mass exceeding 5 700 kilograms;
 - (i) Group 9 – rotorcraft powered by turbine jet engines, with a maximum certificated mass of 3175 kilograms or less;
 - (j) Group 10 – rotorcraft powered by turbine jet engines, with a maximum certificated mass exceeding 3175 kilograms;
 - (k) Group 11 – aeroplanes constructed of composites, with a maximum certificated mass exceeding 5 700 kilograms; and
 - (l) Group 12 – all other aircraft.
- (2) For the purposes of licensing aircraft maintenance engineers, engines are classified into the following groups, for all types endorsed in the aircraft maintenance engineer's logbook:
- (a) Group 01 – all horizontally opposed normally-aspirated piston engines;
 - (b) Group 02 – all horizontally opposed turbo-normalised, turbo-charged and supercharged piston engines;
 - (c) Group 03 – all in-line piston engines;
 - (d) Group 04 – all radial engines;
 - (e) Group 05 – turbine jet engines; and
 - (f) Group 06 – all other engines.
- (3) Additional requirements for groups of airframes and engines for the purposes of licensing aircraft maintenance engineers are set out in document NAM-CATS-AMEL 66.

Categories of ratings

66.01.5 (1) The categories of ratings for a Class II aircraft maintenance engineer licence are:

- (a) a Category A rating, for all types of airframes for:
 - (i) aeroplanes registered in Namibia, either singly or in the groups referred to in regulation 66.01.4; or

- (ii) rotorcraft registered in Namibia, either singly or in the groups referred to in regulation 66.01.4;
 - (b) a Category C rating, for all types of engines installed in:
 - (i) aeroplanes registered in Namibia, either singly or in the groups referred to in regulation 66.01.4; or
 - (ii) rotorcraft registered in Namibia, either singly or in the groups referred to in regulation 66.01.4; and
 - (c) a Category W rating, for any of the following equipment installed:
 - (i) avionic equipment;
 - (ii) electrical equipment;
 - (iii) instrument equipment; or
 - (iv) combination of the equipment referred to in subparagraphs (i), (ii) and (iii); installed in a Namibian aircraft.
- (2) The categories of ratings for a Class I aircraft maintenance engineer licence are:
- (a) a Category B rating, for all types of airframes for:
 - (i) aeroplanes registered in Namibia, either singly or in the groups referred to in regulation 66.01.4; or
 - (ii) rotorcraft registered in Namibia, either singly or in the groups referred to in regulation 66.01.4;
 - (b) a Category D rating, for all types of engines installed in:
 - (i) aeroplanes registered in Namibia, either singly or in the groups referred to in regulation 66.01.4; or
 - (ii) rotorcraft registered in Namibia, either singly or in the groups referred to in regulation 66.01.4; and
 - (c) a Category X rating, for any of the following specialisations:
 - (i) the installation and overhaul of compasses;
 - (ii) the installation and overhaul of engine ignition equipment;
 - (iii) the installation and overhaul of fixed and variable-pitch propellers;
 - (iv) the installation and overhaul of instruments, including or excluding electrically operated instruments;
 - (v) the installation and overhaul of electrical equipment;
 - (vi) the installation and overhaul of automatic pilots;

- (vii) the installation and overhaul of avionic equipment, including or excluding equipment employing pulse techniques; or
 - (viii) welding.
- (3) The categories of aircraft maintenance instructor ratings are:
- (a) a Grade One aircraft maintenance instructor rating; and
 - (b) a Grade Two aircraft maintenance instructor rating.
- (4) A Category C rating for a particular type of engine installed in a rotorcraft may be granted only in conjunction with a Category A rating for the type of rotorcraft in which the engine is installed.
- (5) A Category D rating for a particular type of engine installed in a rotorcraft may be granted only in conjunction with a Category B rating for the type of rotorcraft in which the engine is installed.

Competency

66.01.6 The holder of an aircraft maintenance engineer licence with the appropriate rating may not exercise the privileges granted by the licence and the appropriate rating unless such holder maintains competency by complying with the appropriate requirements prescribed in this Part and in Parts 43 and 145.

Consumption of alcohol and drugs

66.01.7 An aircraft maintenance engineer may not:

- (a) consume any alcohol or any other substance which is either narcotic or otherwise capable of impairing his or her judgement or affecting the performance of his or her duties, less than eight hours prior to the specified reporting time for duty;
- (b) commence a duty period while the concentration of alcohol in any specimen of blood taken from any part of his or her body is more than 0,02 gram per 100 millilitres;
- (c) consume alcohol or any other substance which is either narcotic or otherwise capable of impairing his or her judgement or affecting the performance of his or her duties during the duty period or whilst on standby for duty; and
- (d) commence a duty period while under the influence of alcohol or any other substance which is either narcotic or otherwise capable of capable of impairing his or her judgement or affecting the performance of his or her duties.

Language

66.01.8 Aircraft maintenance engineers must have sufficient ability in reading, speaking and understanding the English language to enable them to adequately carry out their responsibilities as aircraft maintenance engineers.

Validation of licence issued by appropriate authority

66.01.9 (1) The holder of an aircraft maintenance engineer licence of a foreign country issued by an appropriate authority who intends to act as an aircraft maintenance engineer on a Namibian aircraft must apply to the Executive Director on the appropriate form as determined by the Executive Director for the validation of such licence.

(2) A validation of a foreign aircraft maintenance engineer licence or renewal of validation of such licence is an aviation document for the purposes of the Act.

(3) An application for a validation referred to in subregulation (1), must be accompanied by:

- (a) the appropriate fee as prescribed in Part 187; and
- (b) the licence to which the validation pertains.

(4) An aircraft maintenance engineer licence issued by an appropriate authority may be validated by the Executive Director subject to the same limitations which apply to the licence and in accordance with and subject to the requirements set out in Document NAM-CATS-AMEL 66.

(5) An aircraft maintenance engineer licence issued by an appropriate authority may be validated by the Executive Director if he or she is satisfied that:

- (a) the applicant complies with the requirements referred to in this regulation;
 - (b) the applicant is a fit and proper person within the meaning of section 69 of the Act to exercise the privileges of the validation; and
 - (c) the issuing of the validation would not be contrary to aviation safety.
- (6) A validation issued under subregulation (5):
- (a) must be in the appropriate form as determined by the Executive Director; and
 - (b) is valid for a period of 12 months, calculated from the date of validation, or the period of validity of the licence, whichever period is the lesser period.

(7) The Executive Director may renew the validation of an aircraft maintenance engineer licence issued by an appropriate authority in the circumstances and on the conditions as prescribed in subregulation (5) and (6) and as set out in Document NAM-CATS 66.

(8) The holder of a validated aircraft maintenance engineer licence must at all times comply with the provisions of the Act, the regulations in this Part and the requirements set out in document NAM-CATS 66.

Conversion of licence issued by appropriate authority

66.01.10 (1) The holder of a foreign aircraft maintenance engineer licence and rating issued by an appropriate authority may apply to the Executive Director for a conversion of the licence and rating and the Executive Director may subject to the requirements prescribed in the Regulations convert the licence and rating in a form determined by the Executive Director provided that the holder is a Namibian citizen or a Namibian permanent resident holder.

(2) The application for a conversion referred to in subregulation (1) must be accompanied by:

- (a) a certified true copy of the licence or rating for which the conversion is sought;
- (b) a true certified copy of the pages of his or her logbook as set out in Document NAM-CATS 66;
- (c) one recent passport size photographs of the applicant; and
- (d) the appropriate fee as prescribed in Part 187;
- (e) in the case of an application for the conversion of a licence or rating for the purpose of being employed as aircraft maintenance engineer in Namibia, a letter of appointment from an employer who requires the services of the applicant.

(3) A licence or rating issued by an appropriate authority may be accepted by the Executive Director subject to the same requirements which apply to such licence or rating and in accordance with and subject to the requirements set out in Document NAM-CATS 66.

(4) Before the Executive Director converts a foreign aircraft maintenance engineer licence or rating the Executive Director must confirm the validity and authenticity of the foreign licence or rating with the appropriate authority.

(5) The conversion of a licence or rating issued by the Executive Director in terms of this regulation is deemed to be an aviation document for the purposes of the Act.

(6) The holder of a licence or rating issued by an appropriate authority and converted by the Executive Director, must at all times comply with the Act, these regulations and with the requirements set out in Document NAM-CATS 66.

Register of licences

66.01.11 (1) The Executive Director must maintain within the Civil Aviation Registry a register of all aircraft maintenance engineer licences issued, validated, renewed or re-issued in terms of the regulations in this Part.

(2) The register referred to in subregulation (1) must contain the following particulars:

- (a) the full name of the holder of the licence;
- (b) the postal address of the holder of the licence;
- (c) the date on which the licence was issued, validated, renewed or re-issued;
- (d) particulars of the ratings held by the holder of the licence; and
- (e) the nationality of the holder of the licence.

(3) The Executive Director must record or ensure the recording of particulars referred to in subregulation (2) in the register within seven days from the date on which the licence is issued, validated, renewed or re-issued, by the Executive Director.

(4) The Executive Director must provide access to the particulars referred to in subregulation (2) in accordance with the provisions of section 52 of the Act.

Designation of examiners

66.01.12 (1) The Executive Director may designate an examiner for a period of one year, in respect of the valid rating or ratings held by the examiner to:

- (a) conduct trade testing on aircraft maintenance engineering students and issue trade test reports;
- (b) conduct practical skills assessments after aircraft maintenance engineering students or aircraft maintenance engineer licence holders completed type rating courses or on-the-job training;
- (c) issue to an applicant who meets the appropriate training, theoretical knowledge examination and practical assessment requirements prescribed in this Part for the issuing or the renewal of a Class I or a Class II aircraft maintenance engineer licence with a similar rating, a certificate of competency;
- (d) certify in the record of experience logbook of an applicant for the issuing or the renewal of a Class I or a Class II aircraft maintenance engineer licence with a similar rating, that the applicant has complied with the appropriate experience requirements prescribed in this Part;
- (e) issue to an applicant who meets the appropriate training, theoretical knowledge examination and practical assessment requirements prescribed in this Part for the issuing or the renewal of a Grade One or a Grade Two aircraft maintenance instructor rating with a similar valid rating, a certificate of competency;
- (f) certify in the record of experience logbook of an applicant for the issuing or the renewal of a Grade One or a Grade Two aircraft maintenance instructor rating with a similar valid rating, that the applicant has complied with the appropriate experience requirements prescribed in this Part; and
- (g) conduct oversight on aircraft maintenance engineer instructors.

(2) The privileges referred to in subregulation (1) must be performed according to the requirements set out in Document NAM-CATS 66.

(3) Inspectors must annually exercise oversight over the exercise of powers and performance of functions by designated examiners, this includes ensuring that designated examiners continuously comply with the required testing requirements.

(4) The Executive Director must sign and issue to each designated examiner a document which must state the full name of such examiner and contain a statement that:

- (a) such examiner has been designated in terms of subregulation (1); and
- (b) such examiner is empowered to exercise the privileges referred to in subregulation (1).

(5) The application for designation as referred to in subregulation (1) must be accompanied by:

- (a) the details of the licence and ratings to which the application applies; and

(b) the appropriate fee as prescribed in Part 187.

(6) An application for re-designation as designated examiner must be made on the form determined by the Executive Director not less than 90 days prior to the beginning of the month in which the designation expires, together with the fee as prescribed in Part 187.

(7) The submission of an application under subregulation (6) does not automatically entitle the applicant to continue to exercise the privileges of a designated examiner after the expiry date.

(8) The Executive Director may re-designate the applicant as a designated examiner if the applicant has been subject to the oversight under auspices of the Authority as prescribed in subregulation (3).

(9) The Executive Director must maintain a register of all designated examiners.

(10) The register referred to in subregulation (9) must contain the following details:

- (a) name of the designated examiner;
- (b) category and privileges relating to the designation;
- (c) licences and ratings held by designated examiner; and
- (d) expiry date of the designation.

Training

66.01.13 Training as required by this Part may only be provided by an approved ATO.

Logbooks

66.01.14 (1) Any person presenting training or undergoing training for any aircraft trade or a holder of an aircraft maintenance engineer licence, must maintain a logbook and record in the logbook all work carried out on an aircraft and its components.

(2) The form of and information to be contained in a logbook referred to in subregulation (1) and the manner in which such logbook must be maintained must be as set out in Document NAM-CATS 66.

(3) The Executive Director may not allow any alterations of a logbook referred to in subregulation (1) once it is signed off by a designated examiner or an authorised person.

Credit for military service

66.01.15 (1) Aircraft maintenance engineers qualified as such in the Namibian Defence Force may apply to the Executive Director for the issuing of an aircraft maintenance engineers licence and rating prescribed in this Part.

(2) An application contemplated in subregulation (1) must be made in the appropriate form set out in Document NAM-CATS 66, and be accompanied by:

- (a) proof of:
 - (i) the identity of the applicant;
 - (ii) the age of the applicant; and
 - (iii) employment of the applicant in the Namibian Defence Force;
- (b) proof that the applicant has passed the appropriate theoretical knowledge examination, or part of the examination if the Executive Director requires the passing of such theoretical knowledge examination or part of the examination;
- (c) the appropriate fee as prescribed in Part 187; and
- (d) one recent passport size photograph of the applicant.

(3) The Executive Director must credit the theoretical knowledge and experience, or part the theoretical knowledge or experience gained in military service by the applicant, towards the issuing of an aircraft maintenance engineers licence and rating.

Change of name or address

66.01.16 (1) If an aircraft maintenance engineers licence or rating issued in terms of this Part:

- (a) does not correctly reflect the name or address of the holder of the licence or rating; or
- (b) contains a photograph which is no longer a recognisable image of the holder of the licence or rating,

such holder must, within 30 days from the date on which such name or address was changed or such photograph became an unrecognisable image, apply to the Executive Director for the issuing of a new licence or rating.

(2) An application for the issuing of a new licence or rating in terms of subregulation (1) must be made in the appropriate form set out in Document NAM-CATS 66 and be accompanied by:

- (a) the original licence or rating;
 - (b) in the case of a change of name, a copy of a certificate issued in terms of the Aliens Act, 1937 (Act No. 1 of 1937), the Births, Marriages and Deaths Registration Act, 1963 (Act No. 81 of 1963), or a court order or any other legal document which verifies the change of name;
 - (c) one recent passport size photographs of the applicant; and
 - (d) the appropriate fee as prescribed in Part 187.
- (3) The Executive Director must:
- (a) issue a new aircraft maintenance engineers licence or rating if the applicant complies with the requirements referred to in subregulation (2); and

- (b) cancel and destroy the original aircraft maintenance engineers licence or rating.

(4) Upon the issuing of a new aircraft maintenance engineers licence the holder of the licence must immediately affix his or her signature in ink in the space on the new licence provided for such purpose.

Duplicate aircraft maintenance engineers' licence

66.01.17 (1) The holder of an aircraft maintenance engineers licence or rating which has been lost, destroyed or defaced to such an extent that the particulars on it are illegible, must apply to the Executive Director for the issuing of a duplicate licence or rating.

(2) An application for the issuing of a duplicate aircraft maintenance engineers licence or rating must be:

- (a) made in the appropriate form set out in Document NAM-CATS 66; and
- (b) accompanied by:
 - (i) one recent passport size photograph of the applicant; and
 - (ii) the appropriate fee as prescribed in Part 187.
- (3) The Executive Director must:
 - (a) issue a duplicate aircraft maintenance engineers licence or rating if the applicant complies with the requirements referred to in subregulation (2); and
 - (b) endorse the duplicate aircraft maintenance engineers licence or rating with the word "DUPLICATE" on it.

(4) Upon the issuing of a duplicate aircraft maintenance engineers licence the holder of the licence must immediately affix his or her signature in ink in the space on the duplicate licence provided for such purpose.

(5) If, after the issuing of a duplicate aircraft maintenance engineers licence or rating, the original licence or rating is found, the holder of the duplicate licence or rating must take all reasonable steps to obtain such original licence or rating and surrender it immediately to the Executive Director.

SUBPART 2 AIRCRAFT MAINTENANCE ENGINEER LICENCE AND RATINGS

Requirements for licence and rating

66.02.1 An applicant for the issuing of an aircraft maintenance engineer licence with a rating referred to in regulation 66.01.5, or an amendment of the licence or rating that applies in respect of the licence must:

- (a) be 21 years of age or older;
- (b) have successfully completed the training referred to in regulation 66.02.2;
- (c) have passed the theoretical knowledge examination referred to in regulation 66.02.3; and

- (d) have acquired the experience referred to in regulation 66.02.4.

Training

66.02.2 An applicant for the issuing of an aircraft maintenance engineer licence with a rating referred to in regulation 66.01.5, must have successfully completed the appropriate training set out in Document NAM-CATS 66.

Theoretical knowledge examination

66.02.3 (1) An applicant for the issuing of a Class II aircraft maintenance engineer licence with a Category A rating, must have passed:

- (a) an approved type training course conducted by an approved ATO or foreign organisation approved by the Authority; or
- (b) training provided by an approved original equipment manufacturer;
- (c) a Namibian air law written examination as set out in Document NAM-CATS 66;
- (d) a Namibian airframe general (Cat A) written examination as set out in Document NAM-CATS 66; and
- (e) a Namibian human factors written examination as set out in Document NAM-CATS 66.

(2) An applicant for the issuing of a Class II aircraft maintenance engineer licence with a Category C rating, must have passed:

- (a) an approved type training course provided by an approved ATO or a foreign organisation approved by the authority; or
- (b) training provided by an approved original equipment manufacturer;
- (c) a Namibian air law written examination as set out in Document NAM-CATS 66;
- (d) a Namibian piston general or gas turbine engine general (Cat C) written examination as set out in Document NAM-CATS 66; and
- (e) a Namibian human factors written examination as set out in Document NAM-CATS 66.

(3) An applicant for the issuing of a Class II aircraft maintenance engineer licence with a Category W rating, must have passed:

- (a) an approved training course applicable to the rating applied for, which may be:
 - (i) an instruments equipment course (Cat W);
 - (ii) an electrical equipment course (Cat W); or
 - (iii) an avionic equipment course (Cat W),

provided by an approved ATO or foreign organisation approved authority, or

- (b) training provided by an approved original equipment manufacturer; or
 - (c) a Namibian air law written examination as set out in Document NAM-CATS 66; and
 - (d) a Namibian human factors written examination as set out in Document NAM-CATS 66.
- (4) An applicant for the issuing of a Class I aircraft maintenance engineer licence with a Category B rating, must have passed:
- (a) an approved type training course conducted by an approved ATO or foreign organisation approved by the authority; or
 - (b) training provided by an approved original equipment manufacturer;
 - (c) a Namibian Air law written examination as set out in Document NAM-CATS 66;
 - (d) a Namibian airframe general (Cat B) written examination as set out in Document NAM-CATS 66; and
 - (e) a Namibian human factors written examination as set out in Document NAM-CATS 66.
- (5) An applicant for the issuing of a Class I aircraft maintenance engineer licence with a Category D rating, must have passed:
- (a) an approved type training course conducted by an approved ATO or a foreign organisation approved by the authority; or
 - (b) training provided by an approved original equipment manufacturer;
 - (c) a Namibian Air law written examination as set out in Document NAM-CATS 66;
 - (d) a Namibian piston general or gas turbine engine general (Cat D) written examination as set out in Document NAM-CATS 66; and
 - (e) a Namibian human factors written examination as set out in Document NAM-CATS 66.
- (6) An applicant for the issuing of a Class I aircraft maintenance engineer licence with a Category X rating, must have passed:
- (a) an approved training course conducted by an approved ATO or a foreign organisation approved by the Authority consisting of:
 - (i) an Instrument Equipment Course (Cat X);
 - (ii) an Electrical Equipment Course (Cat X);
 - (iii) an Avionic Equipment Course (Cat X);
 - (iv) an Ignition Equipment Course (Cat X);
 - (v) a Compass Systems Course (Cat X);

- (vi) an Auto Pilot General Course (Cat X);
- (vii) a type course on fixed and variable-pitch propellers (Overhaul Level) (Cat X); or
- (viii) an aircraft welding course (Cat X); or
- (b) training provided by an approved original equipment manufacturer;
- (c) a Namibian Air law written examination as set out in Document NAM-CATS 66; and
- (d) a Namibian human factors written examination as set out in Document NAM-CATS 66.

(7) The applicant referred to in subregulation (1), (2), (3), (4), (5) and (6) must provide the Executive Director with certified proof of successful completion of the training or examinations.

(8) The training certificates and examinations relating to aircraft maintenance remain valid: Provided that the holder of the certificate remains active in aircraft maintenance.

Experience

66.02.4 An applicant for the issuing of an aircraft maintenance engineer licence with a rating referred to in regulation 66.01.5 must comply with the requirements for the appropriate experience set out in Document NAM-CATS 66.

Application for a licence or amendment of licence

66.02.5 (1) An application for the issuing of an aircraft maintenance engineer licence with a rating referred to in regulation 66.01.5, must be made to the Executive Director in the appropriate form determined by the Executive Director and be accompanied by proof of:

- (a) the identity of the applicant;
- (b) the age of the applicant;
- (c) the servicing and overhaul experience record of the applicant;
- (d) proof that the applicant has passed the theoretical knowledge examination referred to in regulation 66.02.3;
- (e) one recent passport size photograph of the applicant; and
- (f) the appropriate fee as prescribed in Part 187.

(2) An application for the amendment of an aircraft maintenance engineer licence with a rating referred to in regulation 66.01.5, must be made to the Executive Director in the appropriate form determined by the Executive Director and be accompanied by:

- (a) a copy of the licence held by the applicant;

- (b) proof that the applicant has passed the theoretical knowledge examination referred to in regulation 66.02.3;
- (c) proof of the servicing and overhaul experience record of the applicant in respect of the type of aeroplane or rotorcraft for which application is being made; and
- (d) the appropriate fee as prescribed in Part 187.

Issuing of licence

66.02.6 (1) The Executive Director must issue an aircraft maintenance engineer licence with a rating referred to in regulation 66.01.5, if he or she is satisfied that:

- (a) the applicant complies with the requirements referred to in regulation 66.01.6;
- (b) the applicant is a fit and proper person within the meaning of section 69 of the Act to exercise the privileges of the aircraft maintenance engineer licence, and
- (c) the issuing of the aviation maintenance license would not endanger aviation safety.

(2) The Executive Director must issue the licence referred to in subregulation (1) on the appropriate form as set determined by the Executive Director.

(3) The rating referred to in subregulation (1) must specify the type of aeroplane, rotorcraft, engine, equipment, instruments or welding processes, as the case may be, in respect of which the holder of such rating is entitled to exercise the privileges.

(4) Upon the issuing of the aircraft maintenance engineer licence the holder of the licence must immediately affix his or her signature in ink in the space on the licence provided for such purpose.

Period of validity

66.02.7 (1) Unless suspended or revoked in terms of the Act, an aircraft maintenance engineer licence with a rating referred to in regulation 66.01.5, is valid for a period of 24 months calculated from the date on which the licence is issued or from the date of expiry of the licence if such licence is renewed in accordance with the provisions of regulation 66.02.9.

(2) Any amendment of an aircraft maintenance engineer licence is valid for the period for which the licence is valid.

Renewal of aircraft maintenance engineer licence

66.02.8 (1) To renew an aircraft maintenance engineer licence with a rating referred to in regulation 66.01.5, the holder the licence must, within the 24 months preceding the date of expiry of the licence, have exercised the privileges of the licence for not less than six months:

- (a) as a licensed aircraft maintenance engineer on the relevant rating working under the auspices of an aircraft maintenance organisation;
- (b) having supervised the maintenance of aircraft relevant to the ratings held in an executive capacity; or

- (c) having performed a technical training function relevant to the ratings held in an approved ATO.

(2) An application for the renewal of the licence must, within 90 days immediately preceding the date of expiry of such licence, be made to the Executive Director in the appropriate form as determined by the Executive Director and be accompanied by:

- (a) copy of the licence held by the applicant;
- (b) the appropriate fee as prescribed in Part 187; and
- (c) proof of compliance with the provisions of subregulation (1).

(3) The Executive Director must renew the aircraft maintenance engineer licence if the applicant complies with the requirements referred to in subregulation (1) and (2).

(4) The Executive Director must renew the aircraft maintenance engineer licence in the appropriate form as determined by the Executive Director.

Re-issue of aircraft maintenance engineer licence

66.02.9 (1) The holder of an aircraft maintenance engineer licence with a rating referred to in regulation 66.01.5, which licence has expired due to the lapse of the period referred to in regulation 66.02.7, may apply to the Executive Director in the appropriate form as determined by the Executive Director for the re-issuing of the expired licence.

(2) Upon application for the re-issuing of the expired licence as prescribed in subregulation (1), the Executive Director must re-issue such licence if he or she is satisfied that:

- (a) the applicant has provided proof of having complied with the requirements referred to in regulation 66.02.1;
- (b) the applicant is a fit and proper person within the meaning of section 69 of the Act to exercise the privileges of the aircraft maintenance engineer licence;
- (c) the re-issue of the aviation maintenance license would not be contrary to aviation safety, and

(3) If less than two years has expired since the lapse of an aircraft maintenance engineer licence, the applicant must, provide proof of aircraft maintenance engineer experience of at least six months immediately prior to the application for the re-issue.

(4) If a period of more than two years but less than five years has expired since the lapse of an aircraft maintenance engineer licence, the applicant must, write the examinations prescribed in paragraph (d) of subregulation (1) or regulation 66.02.3 and provide proof of experience of at least six months immediately prior to the application for the re-issue.

(5) If an applicant for the re-issuing of an aircraft maintenance engineer licence has not worked in a maintenance or servicing facility within the aviation environment for a period of five years or more since the expiry of his or her licence, the applicant must comply with the requirements for the initial issue of such licence as prescribed in regulation 66.02.1 and in addition rewrite examinations of all the general courses applicable to the ratings previously held.

Privileges of aircraft maintenance engineer or rating

66.02.10 (1) The holder of a valid Class II aircraft maintenance engineer licence with a Category A rating, is entitled to:

- (a) certify, in accordance with the regulations in Part 43, the release to service of the specified type of aeroplane or rotorcraft, excluding its engine or engines; and
- (b) certify, in the logbook:
 - (i) work which the maintenance schedule relating to the specified type of aeroplane or rotorcraft authorises such holder to certify as airworthy; and
 - (ii) any adjustment, minor repair or minor modification of the specified type of aeroplane or rotorcraft, including the installation or replacement of equipment, instruments and minor components of such aeroplane or rotorcraft, excluding its engine or engines.

(2) The holder of a valid Class II aircraft maintenance engineer licence with a Category C rating, is entitled to:

- (a) certify, in accordance with the regulations in Part 43, the release to service of the specified type of engine or engines; and
- (b) certify, in the logbook:
 - (i) work which the maintenance schedule relating to the specified type of engine or engines authorises such holder to certify as airworthy;
 - (ii) the installation of the specified type of engine or engines in an aircraft;
 - (iii) the installation and maintenance, other than the overhaul, major modification or major repair, of propellers and the reassembly of variable-pitch propellers which may have been dismantled for transport purposes; and
 - (iv) any adjustment or minor modification of the specified type of engine or engines and the replacement of external components and piston and cylinder assemblies, if such replacement does not involve dismantling the engine or engines for purposes other than to obtain access to the components and assemblies.

(3) The holder of a valid Class II aircraft maintenance engineer licence with a Category W rating, is entitled to:

- (a) certify, in accordance with the regulations in Part 43, the release to service of the specified type of equipment; and
- (b) certify, in the logbook:
 - (i) work which the maintenance schedule relating to the specified type of equipment authorises such holder to certify as airworthy;
 - (ii) any adjustment, maintenance or modification of such equipment; and

- (iii) any installation of such equipment in aircraft and the replacement of components and parts of such equipment: Provided that no equipment may be dismantled for the purpose of making internal replacements.

(4) The holder of a valid Class I aircraft maintenance engineer licence with a Category B rating, may certify, in the logbook:

- (a) the overhaul, repair or modification, including trimming, welding, spray painting, electroplating or machining, of the specified type of aeroplane or rotorcraft, excluding its engine or engines, except:
 - (i) the overhaul, repair or modification of such item, equipment or apparatus which is to be certified by the holder of a Category X rating; and
 - (ii) the installation and testing of such instrument, electrical equipment or radio apparatus which is to be certified by the holder of a Category W rating;
- (b) subject to the provisions of regulation 43.02.11, the non-destructive testing of structures, composites, components and parts;
- (c) the overhaul of pneumatic and fuel components; and
- (d) the manufacturing, overhaul, or replacement of structures, composites, components and parts, if the manufacturing or replacement of the structures, composites, components and parts is necessary for such holder to complete an overhaul, repair or modification which he or she will certify as airworthy.

(5) The holder of a valid Class I aircraft maintenance engineer licence with a Category D rating, may certify, in the logbook:

- (a) the overhaul, repair or modification of the specified type of engine or engines, except the overhaul, repair or modification of the ignition equipment, other than the spark plugs, and of the propeller, starter and generator, which is to be certified by the holder of a Category X rating: Provided that the replacement of mechanical parts of a magneto may be certified; and
- (b) the manufacturing or replacement of components and parts, if the manufacturing or replacement of the components and parts is necessary for such holder to complete an overhaul, repair or modification which he or she will certify as airworthy.

(6) The holder of a valid Class I aircraft maintenance engineer licence with a Category X rating, may certify, in the logbook:

- (a) the installation and compensation of the specified compasses;
- (b) the installation, overhaul, repair or modification of the specified engine ignition equipment, and replacements of specified ignition equipment;
- (c) the installation, overhaul, repair or modification of fixed and variable-pitch propellers, and replacements of fixed and variable-pitch propellers;
- (d) the installation, overhaul, repair or modification of the specified instruments;

- (e) the installation, overhaul, repair or modification of the specified electrical equipment, and replacements of specified electrical equipment;
- (f) the installation, overhaul, repair or modification of automatic pilots other than automatic pilots which operate on electronic principles;
- (g) the installation and in-flight adjustment of electronic automatic pilots;
- (h) the installation, overhaul, repair or modification of the specified avionic equipment, and replacements of specified avionic equipment; and
- (i) the carrying out of the specified welding processes.

SUBPART 3 GRADE ONE AND GRADE TWO AIRCRAFT MAINTENANCE INSTRUCTOR RATINGS

Requirements for grade one or grade two aircraft maintenance instructor rating

66.03.1 An applicant for the issuing of a Grade One or Grade Two aircraft maintenance instructor rating must:

- (a) be 21 years of age or older;
- (b) hold a valid aircraft maintenance engineer licence;
- (c) hold at least one valid rating: Provided that, where the applicant is the holder of a Category B or D rating for a particular type of an aircraft or engine, he or she must also be the holder of a Category A or C rating, as applicable, for that type of aircraft or engine;
- (d) have successfully completed the training referred to in regulation 66.03.2;
- (e) have passed the theoretical knowledge examination referred to in regulation 66.03.3; and
- (f) have acquired the experience referred to in regulation 66.03.4.

Training

66.03.2 An applicant for the issuing of a Grade One or Grade Two aircraft maintenance instructor rating must have successfully completed the appropriate training as set out in Document NAM-CATS 66.

Theoretical knowledge examination

66.03.3 (1) An applicant for the issuing of a Grade One or Grade Two aircraft maintenance instructor rating must have passed the appropriate written examination as set out in Document NAM-CATS 66.

(2) An applicant who fails the written examination referred to in subregulation (1) may apply for retesting after the appropriate period specified in Document NAM-CATS 66.

Experience

66.03.4 An applicant for the issuing of a Grade One or Grade Two aircraft maintenance instructor rating must comply with the requirements for the appropriate experience set out in Document NAM-CATS 66.

Application for instructor rating

66.03.5 (1) An application for the issuing of a Grade One or Grade Two aircraft maintenance instructor rating must be made to the Executive Director in the appropriate form determined by the Executive Director.

(2) The application referred to in subregulation (1) must in the case of Grade One aircraft maintenance engineer instructor rating, be accompanied by:

- (a) the original or certified proof of:
 - (i) the identity document of the applicant;
 - (ii) compliance with the requirements referred to in paragraphs (d), (e) and (f) of regulation 66.03.1; and
 - (iii) the applicant's competency to exercise the privileges referred to in regulation 66.03.8;
- (b) a certified true copy of the aircraft maintenance engineer licence held by the applicant; and
- (c) the appropriate fee as prescribed in Part 187.

(3) The application referred to in subregulation (1) must in the case of Grade Two aircraft maintenance engineer instructor rating, be accompanied by:

- (a) the original or certified proof of:
 - (i) the identity document of the applicant;
 - (ii) the servicing and overhaul experience record of the applicant;
 - (iii) the original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 66.03.3;
- (b) a certified true copy of the aircraft maintenance engineer licence held by the applicant; and
- (c) the appropriate fee as prescribed in Part 187.

Issuing of instructor rating

66.03.6 (1) The Executive Director must issue a:

- (a) Grade One aircraft maintenance instructor rating if:

- (i) the applicant complies with the requirements referred to in regulation 66.03.1; and
 - (ii) the Executive Director is satisfied that the applicant is competent to exercise the privileges referred to in regulation 66.03.8; and
 - (b) Grade Two aircraft maintenance instructor rating if the applicant complies with the requirements referred to in regulation 66.03.1.
- (2) The instructor rating must be issued on the appropriate form as determined by the Executive Director.

Period of validity

66.03.7 Unless suspended or revoked in terms of the Act, a Grade One or Two aircraft maintenance instructor rating is valid for the period for which the aircraft maintenance engineer licence is valid.

Privileges of instructor rating

66.03.8 (1) The holder of a Grade One aircraft maintenance instructor rating is entitled to:

- (a) give academic or practical instruction on any of the valid ratings held by him or her; and
- (b) act as an examiner in any of the valid ratings held by him or her, if designated by the Executive Director in terms of regulation 66.01.11.

(2) The holder of a Grade Two aircraft maintenance instructor rating is entitled to give academic or practical instruction on any of the valid ratings held by him or her.

Renewal of instructor rating

66.03.9 (1) To renew a Grade One or Grade Two aircraft maintenance instructor rating the holder of the rating must, within the 24 months preceding the date of expiry of the rating, have served for not less than six months as an aircraft maintenance instructor.

(2) The holder of the Grade One or Grade Two aircraft maintenance instructor rating must apply for renewal of the rating within 90 days immediately preceding the date of expiry of such rating, and the application must be made to the Executive Director in the appropriate form as determined by the Executive Director, and:

- (a) in the case of Grade One aircraft maintenance engineer instructor rating, be accompanied by:
 - (i) certified true copy of the aircraft maintenance engineer licence held by the applicant;
 - (ii) the appropriate fee as prescribed in Part 187; and
 - (iii) original or certified proof of compliance with the provisions of subregulation (1) and the applicant's competency to exercise the privileges referred to in regulation 66.03.8;

- (b) in the case of Grade Two aircraft maintenance engineer instructor rating, be accompanied by:
 - (i) a certified true copy of the aircraft maintenance engineer licence held by the applicant;
 - (ii) the appropriate fee as prescribed in Part 187; and
 - (iii) original or certified proof of compliance with the provisions of subregulation (1).

(3) The Executive Director must renew the rating referred to in subregulation (1) if the applicant complies with the requirements referred to in subregulation (1) and (2).

(4) The Executive Director must renew the rating referred to in subregulation (1) in the appropriate form as determined by the Executive Director.

(5) The renewal of the rating in terms of this regulation is valid for the period for which the aircraft maintenance engineer licence is valid.

SUBPART 4 APPROVED PERSON CERTIFICATE

Applicability

66.04.1 This Subpart:

- (a) applies to the issuing of approvals to natural persons who intend to carry out maintenance on Namibian registered non-type certificated aircraft, their engines, components and equipment; and
- (b) does not apply to licensed aircraft maintenance engineers, licensed pilots and persons authorised by the holder of an aircraft maintenance organisation approval to carry out maintenance on Namibian registered non-type certificated aircraft, their engines, components and equipment.

Authority to act as approved person

66.04.2 (1) A person may not act as an approved person on any aircraft mentioned in Part 24 and referred to in regulation 66.04.3, unless such person is the holder of a valid approved person certificate with the appropriate rating issued by the Executive Director or, if applicable, the aircraft maintenance organisation, as the case may be.

(2) The holder of an approved person certificate may not exercise privileges other than those granted by the approval and the appropriate rating held by such holder.

Categories of aircraft

66.04.3 An approved person certificate may be issued in respect of any of the following categories of non-type certificated aircraft:

- (a) aeroplanes, including microlight aeroplanes;
- (b) helicopters;

- (c) gyroplanes and gyrogliders;
- (d) gliders, including power assisted and touring gliders;
- (e) manned captive and manned free balloons; and
- (f) powered paragliders and paratrikes as well as powered hang-gliders.

Classes of certificates

66.04.4 (1) The classes of certificates for an approved person are:

- (a) APC1: inspection certificate, which does not include inspections on repair, or modification work;
- (b) APC2: repair and maintenance certificate, which includes inspections on repair, maintenance or modification work which has been done as well as carrying out such work; and
- (c) APC3: restricted inspection certificate for airframes and engines or airframes or engines, issued by type, excluding inspections on modifications and repairs.

(2) The certificates referred to in subregulation (1) may be issued in one or more of the following groups:

- (a) airframes are classified in the following groups:
 - (i) Group 1 – aeroplanes of wooden construction, with a MCM of 5 700 kilograms or less;
 - (ii) Group 2 – aeroplanes constructed of composites, with a MCM of 5 700 kilograms or less;
 - (iii) Group 3 – aeroplanes of fabric-covered tubular-metal construction, with a MCM of 5 700 kilograms or less;
 - (iv) Group 4 – unpressurised aeroplanes of all-metal construction, with a MCM of 5 700 kilograms or less;
 - (v) Group 5 – pressurised aeroplanes of all-metal construction, with a MCM of 5 700 kilograms or less;
 - (vi) Group 6 – unpressurised aeroplanes of all-metal construction, with a MCM exceeding 5 700 kilograms;
 - (vii) Group 7 – rotorcraft powered by reciprocating engines;
 - (viii) Group 8 – pressurised aeroplanes of all-metal construction, with a MCM exceeding 5 700 kilograms;
 - (ix) Group 9 – rotorcraft powered by turbine jet engines, with a MCM of 3175 kilograms or less;

- (x) Group 10 – rotorcraft powered by turbine jet engines, with a MCM exceeding 3175 kilograms;
 - (xi) Group 11 – aeroplanes constructed of composites, with a MCM exceeding 5 700 kilograms;
 - (xii) Group 12 – balloons;
 - (xiii) Group 13 – trikes; and
 - (xiv) Group 14 – all other aircraft.
- (b) engines are classified in the following groups:
- (i) Group 01 – all horizontally opposed normally-aspirated piston engines;
 - (ii) Group 02 – all horizontally opposed turbo-normalised, turbocharged and supercharged piston engines;
 - (iii) Group 03 – all in-line piston engines;
 - (iv) Group 04 – all radial engines;
 - (v) Group 05 – turbine jet engines; and
 - (vi) Group 06 – all other engines.
- (3) The categories of ratings for an APC2: repair and maintenance certificate for approved persons are:
- (a) Category A rating, for all types of:
 - (i) aeroplanes registered in Namibia, either singly or in the groups referred to in subregulation (2); or
 - (ii) rotorcraft registered in Namibia, either singly or in the groups referred to in subregulation (2);
 - (b) Category C rating, for all types of engines installed in:
 - (i) aeroplanes registered in Namibia, either singly or in the groups referred to in subregulation (2); or
 - (ii) rotorcraft registered in Namibia, either singly or in the groups referred to in subregulation (2); and
 - (c) Category W rating, for any:
 - (i) avionic equipment;
 - (ii) electrical equipment;
 - (iii) instrument equipment; or

- (iv) combination of such equipment installed in aircraft registered in Namibia.
- (4) The categories of ratings for an APC1: inspection certificate for approved persons are:
 - (a) Category B rating, for all types of:
 - (i) aeroplanes registered in Namibia, either singly or in the groups referred to in subregulation (2); or
 - (ii) rotorcraft registered in Namibia, either singly or in the groups referred to in subregulation (2);
 - (b) Category D rating, for all types of engines installed in:
 - (i) aeroplanes registered in Namibia, either singly or in the groups referred to in subregulation (2); or
 - (ii) rotorcraft registered in Namibia, either singly or in the groups referred to in subregulation (2); and
 - (c) Category X rating, for:
 - (i) the installation of compasses;
 - (ii) the installation of engine ignition equipment;
 - (iii) the installation of variable-pitch propellers;
 - (iv) the installation of instruments, including or excluding electrically operated instruments;
 - (v) the installation of electrical equipment;
 - (vi) the installation of automatic pilots; or
 - (vii) the installation of avionic equipment, including or excluding equipment employing pulse techniques.

Competency

66.04.5 The holder of an approved person certificate may not exercise the privileges granted by the approval and rating unless such holder maintains competency by complying with the appropriate requirements prescribed in this Part and in the approved manual of procedure of the organisation approved in terms of Part 149.

Consumption of alcohol and drugs

66.04.6 An approved person may not carry out any maintenance on an aircraft, its components or equipment within a period of eight hours following the consumption of any quantity of alcohol or any other substance which is either narcotic or otherwise capable of capable of impairing his or her judgement or affecting the performance of his or her duties.

Language

66.04.7 An approved person must have sufficient ability in reading, speaking and understanding the English language to enable him or her to adequately carry out his or her responsibilities as an approved person.

Requirements for approval and rating

66.04.8 An applicant for the issuing of an approved person certificate with the appropriate category and rating or the amendment of the rating must:

- (a) be 18 years of age or older;
- (b) have successfully passed the theoretical knowledge examination referred to in regulation 66.04.9; and
- (c) have acquired the experience referred to in regulation 66.04.10.

Theoretical knowledge examination

66.04.9 (1) An applicant for the issuing of an approved person certificate must have successfully passed the written examination set by the Executive Director or, if applicable, an approved foreign training organisation.

(2) An applicant who fails the written examinations referred to in subregulation (1), may within 30 days from the date of notification of the examination results apply in writing for a remark.

(3) The application for a remark referred to in subregulation (2) must be made on the appropriate form and be accompanied by the appropriate fee prescribed in Part 187.

(4) If the remark referred to in subregulation (2) is successful, the remark fee referred to in subregulation (3) must be refunded to the applicant.

(5) An applicant who fails the written examinations referred to in subregulation (1) may apply for re-testing after a period of not less than three months: Provided that an applicant may only be re-tested twice.

Experience

66.04.10 An applicant for the issuing of an approved person certificate must:

- (a) be the primary builder of and have obtained an authority in terms of Part 21 to fly for his or her own aircraft;
- (b) have obtained proven aircraft maintenance experience, compatible with the particular rating, or
- (c) in the case of the APC3 restricted inspection rating, complete the practical training as set out in Document NAM-CATS 66.

Application for approval or amendment of the certificate

66.04.11 An application for the issuing of an approved person certificate or for an amendment of the certificate must be made to the Executive Director or if applicable, the approved training organisation on the appropriate form as determined by the Executive Director and be accompanied by:

- (a) original or certified proof of:
 - (i) the identity of the applicant;
 - (ii) the age of the applicant;
 - (iii) the maintenance experience of the applicant; and
 - (iv) if applicable, the build number issued in terms of paragraph (c) of subregulation (4) of regulation 24.01.2, and the authority to fly issued in terms of Subpart 2 of Part 24;
- (b) original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 66.04.9;
- (c) two recent passport-size photographs of the applicant; and
- (d) the appropriate fee as prescribed in Part 187.

Issuing of approval certificate

66.04.12 (1) The Executive Director or if applicable or the approved foreign training organisation, as the case may be, must issue an approved person certificate with the appropriate rating if the applicant complies with the requirements referred to in regulation 66.04.11.

(2) The Executive Director or if applicable the approved foreign training organisation as the case may be must issue the approved person certificate on the appropriate form as determined by the Executive Director.

(3) The approved person certificate must specify the categories of aircraft, categories and classes of ratings, and where applicable the type by name of non-type certificated aircraft, its components or equipment in respect of which the holder of such certificate is entitled to exercise the privileges of the certificate.

(4) Upon the issuing of an approved person certificate, the applicant must immediately affix his or her signature in ink in the space on the certificate provided for such purpose.

Period of validity

66.04.13 (1) Unless suspended or revoked in terms of the Act, an approved person certificate issued in accordance with this Subpart is valid for a period of 24 months, calculated from the date on which the approval is issued or from the date of renewal of the approval if such approval is renewed in accordance with the provisions of regulation 66.04.14.

(2) Any amendment of an approved person certificate is valid for the period for which the approved person certificate is valid.

Renewal of approved person certificate

66.04.14 (1) To renew an approved person certificate, the holder of the certificate must:

- (a) within the 24 months preceding the date of expiry of the certificate, have carried out an inspection or maintenance on at least two aircraft within his or her class of certificates or category of ratings in accordance with regulation 66.04.4;
- (b) within 30 days immediately preceding the date of expiry of such certificate, submit an application for renewal of an approved person certificate to the Executive Director, or if applicable, the approved foreign training organisation as the case may be, accompanied by:
 - (i) a certified true copy of the certificate held by the applicant;
 - (ii) original or certified proof of compliance with the provisions of subregulation (1)(a); and
 - (iii) fee as prescribed in Part 187.

(2) The application for the renewal of the approved person certificate must be made on the form set out in Document NAM-CATS 66.

(3) The Executive Director or if applicable, the approved foreign training organisation, as the case may be, must renew the approved person certificate if the applicant complies with the requirements referred to in subregulation (1).

(4) The approved person certificate must be renewed on the appropriate form determined by the Executive Director.

Re-issue

66.04.15 (1) The holder of an approved person certificate that has expired due to the lapse of the period referred to in regulation 66.04.13 may apply to the Executive Director or, if applicable, the organisation approved for the purpose in terms of Part 149, as the case may be, for the re-issue of the expired certificate.

(2) To qualify for the re issuing of the approved person certificate the holder of the certificate must comply with the requirements prescribed in regulation 66.04.8.

(3) Upon application for the re-issue of the expired certificate, the Executive Director or, if applicable, the organisation approved for the purpose in terms of Part 149, as the case may be, must re-issue such certificate if the applicant complies with the requirements prescribed in subregulation (1).

(4) The provisions of regulations 66.04.11 and 66.04.12 apply with changes required in the context to an application referred to in subregulation (1).

Privileges and limitations

66.04.16 (1) Subject to the provisions of the Act and regulations 66.04.5 and 66.04.6, the holder of an approved person certificate is entitled:

- (a) if he or she is the holder of inspection certificate:
 - (i) to exercise in respect of a non-type certificated aircraft, the privileges of an authorised officer, inspector or authorised person provided for in regulations 24.01.8 and 24.01.9 in Part 24; and
 - (ii) to carry out inspections on a non-type certificated aircraft in accordance with the requirements prescribed in Part 24 as may be called for from time to time by the constructor or owner of the non-type certificated aircraft;
 - (iii) certify in the aircraft logbook when the inspection, repair or maintenance work took place and the outcome of such inspection;
 - (iv) certify, in accordance with the regulations in Part 24 of the Regulations, the release to service of the non-type certificated aircraft;
- (b) if he or she is the holder of a repair and maintenance certificate:
 - (i) to carry out, in accordance with the requirements prescribed in Part 24, such maintenance, including the inspections referred to in subparagraph (a)(ii), on a non-type certificated aircraft, its components and equipment as may be called for from time to time by the constructor or owner of the non-type certificated owner;
 - (ii) certify in the aircraft logbook:
 - (aa) all maintenance or repairs carried out on the aircraft; and
 - (ba) all modifications incorporated on the aircraft in accordance with regulation 44.01.10; and
 - (iii) certify, in accordance with the regulations in Part 24, the release to service of the non-type certificated aircraft; and
- (c) if he or she is the holder of an APC3 restricted inspection approved person certificate:
 - (i) to carry out annual inspections on a non-type certificated aircraft and engine or non-type certificated aircraft or engine for which he or she holds the type rating in accordance with the requirements prescribed in Part 24, for the purpose of renewing the annual authority to fly;
 - (ii) to certify in the aircraft logbook when the inspection took place and the outcome of such inspection;
 - (iii) to certify, in accordance with the regulations in Part 24 the release to service of the non-type certificated aircraft and engine or the non-type certificated aircraft or engine for which he or she holds the type rating; or
 - (iv) to complete annual aircraft inspection notification.

(2) The holder of an approved person certificate may not grant permission to the constructor of the aircraft to fly his or her aircraft for the purposes of carrying out test flights unless he or she is the holder of the appropriate flight test rating.

(3) Any inspection carried out on a non-type certificated aircraft in terms of regulation 24.01.8 must be of a conditional nature in that the approved person carrying out the inspection is not be required to guarantee the airworthiness of the aircraft.

(4) If an authorised person issues a release of service for a non-type certificated aircraft he or she certifies that he or she is satisfied that the aircraft and all its equipment are in every way serviceable for flight and that all maintenance has been carried out in accordance with the regulations and with the aircraft's approved maintenance schedule.

(5) The holder of an approved person certificate who intends to carry out welding on a non-type certificated aircraft must be the holder of a welding certificate for the type of welding to be carried out.

(6) The welding certificate referred to in subregulation (5) does not necessarily have to be for aircraft welding.

Register of approved persons

66.04.17 (1) The Executive Director or, if applicable, the approved foreign training organisation, as the case may be, must maintain a register of all approved person certificates issued, renewed or re-issued in terms of this Part.

(2) The register referred to in subregulation (1) must contain the following particulars:

- (a) the full name of the holder of the certificate;
- (b) the postal address of the holder of the certificate;
- (c) the date on which the certificate was issued, renewed or re-issued;
- (d) particulars of the ratings held by the certificate holder; and
- (e) the nationality of the holder of the certificate.

(3) The Executive Director, or if applicable the approved foreign training organisation must record or ensure the recording of particulars referred to in subregulation (2) in the register referred to in subregulation (1) within seven days from the date on which the certificate is issued, renewed or re-issued.

(4) The register referred to in subregulation (1) must be kept at a safe place at the office of the Executive Director or, if applicable, the approved foreign training organisation as the case may be.

(5) The Executive Director or if applicable the approved foreign training organisation must provide access to the particulars referred to in subregulation (2) in accordance with the provisions of section 52 of the Act.

Responsibilities of certificate holder

66.04.18 (1) The holder of an approved person certificate must maintain a logbook up to date in which he or she must record details of all inspections and maintenance carried out.

(2) The form of the logbook referred to in subregulation (1) and the manner in which it must be kept is as prescribed in Part 44.

PART 67 MEDICAL CERTIFICATION

- 67.00.1 Applicability
- 67.00.2 Functions of Executive Director regarding medical examinations
- 67.00.3 Classes of medical certificates
- 67.00.4 Period of validity of medical certificates
- 67.00.5 Waiver and special medical certificate
- 67.00.6 Aeromedical boards
- 67.00.7 Application for medical certificate
- 67.00.8 Issuing of medical certificate
- 67.00.9 Medical certificates
- 67.00.10 Re-examination of license holder
- 67.00.11 Replacement of medical certificates
- 67.00.12 Medical certificate applicant and holder rights and responsibilities
- 67.00.13 Suspension or cancellation of medical certificate
- 67.00.14 Period of validity of medical records
- 67.00.15 Designation of aviation medical examiners
- 67.00.16 Validations
- 67.00.17 Foreign medical examinations
- 67.00.18 Medical confidentiality
- 67.00.19 Substance abuse and suspected substance abuse

Applicability

67.00.1 (1) This Part prescribes the requirements relating to the issuing and renewal of medical certificates for flight crew which are pilots, flight engineers, and cabin crew and air traffic service personnel.

(2) The Executive Director may designate medical assessors to exercise or perform powers or functions conferred or assigned to them.

(3) The reference to the Executive Director in this Part includes medical assessors to whom the Executive Director has under section 33 read with 37 of the Act delegated or assigned powers or functions for the purpose of the Regulations.

(4) For the purpose of this Part:

- (a) “accredited medical conclusion” means the conclusion reached by one or more medical practitioners with the concurrence of other professionals in the Authority for the purposes of the medical case concerned;
- (b) “aviation medical assessor” means a medical practitioner -
 - (i) qualified and experienced in the practice of aviation medicine and competent in evaluating and assessing medical conditions of flight safety significance; and
 - (ii) designated as a medical assessor by the Executive Director in terms of regulation 67.00.2;
- (c) “designated aviation medical examiner” means a medical practitioner designated by the Executive Director as an aviation medical examiner in terms of regulation 67.00.15 to carry out medical examinations for pilots, flight engineers, cabin crew and air traffic service personnel; and

- (d) “waiver” means an authorisation in terms of regulation 67.00.5 to issue a medical certificate in respect of a licence holder or an applicant, in terms of the Regulations, in cases such person does not meet medical standards referred to in any Schedule or Protocol set out in Document NAM-CATS-MR 67, but where such person meets the requirements of regulation 67.00.5.

(5) In this Part any requirements for the issuing, renewal or re-issuing of an aviation document in terms of this Part are subject to, and must be read in conjunction with, the requirements in the Act and technical standards relating to aviation documents.

Functions of Executive Director regarding medical examinations

67.00.2 (1) The Executive Director must -

- (a) exercise control over medical examinations or tests and over aviation medical examiners performing such examinations or tests;
- (b) determine standards for medical examinations or tests and for the training of aviation medical examiners;
- (c) issue or amend or renew medical certificates;
- (d) keep all books or documents regarding medical examinations or tests;
- (e) apply basic safety management principles to the medical assessment process of licence holders by performing, but not limited to, the following functions -
 - (i) routinely collecting and analysing medical findings during medical assessments to identify areas of increased medical risk;
 - (ii) continuously re-evaluating the medical assessment process to concentrate on identified areas of increased medical risk;
 - (iii) routinely collecting and analysing incapacitation in-flight and on active duty; and
 - (iv) ensuring that accredited medical conclusions are reached.

(2) The Executive Director must designate medical assessors to -

- (a) exercise control over medical examinations or tests and over designated aviation medical examiners performing such examinations or tests;
- (b) determine standards for medical examinations or tests and for the training of designated aviation medical examiners;
- (c) issue, amend or renew medical certificates on his or her behalf and in accordance with his or her directions;
- (d) keep all books or documents regarding medical examinations or tests; and
- (e) subject to the provisions of regulation 67.00.9, advise the Executive Director on any matter connected with medical examinations, tests or designated aviation medical examiners and on the training of flight crew and cabin crew in first aid.

(3) The powers and functions referred to in subregulation (2) must be exercised and performed according to the requirements set out in Document NAM-CATS 67.

(4) The Executive Director may designate aviation medical examiners in terms of regulation 67.00.15 to carry out medical examinations for pilots, flight engineers, cabin crew and air traffic service personnel in accordance with the provisions of this Part.

(5) The designated aviation medical examiners must permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits which may be necessary to verify the effective performance of the designated powers and functions in terms of regulation 67.00.15.

Classes of medical certificates

67.00.3 (1) The classes of medical certificates are:

(a) Class 1:

- (i) airline transport pilot: aeroplane, helicopter and powered-lift;
- (ii) commercial pilot: aeroplane, helicopter and powered-lift;
- (iii) commercial airship pilot; and
- (iv) recreational flight instructor;

(b) Class 2:

- (i) private pilot: aeroplane, helicopter and powered-lift;
- (ii) student pilot;
- (iii) glider pilot;
- (iv) airship pilot;
- (v) cabin crew member;
- (vi) free balloon pilot;
- (vii) flight engineer;
- (viii) recreational pilot (light sporting aeroplanes);
- (ix) recreational pilot (microlight aeroplanes);
- (x) recreational pilot (gyroplanes); and
- (xi) recreational pilots with Part 96 authorisation;

- (c) Class 3:
 - (i) air traffic service assistant;
 - (ii) air traffic service personnel member;
- (d) General Practitioner's medical fitness certificate -
 - (i) hang gliders; and
 - (ii) paragliders.

(2) A flight crew member who holds a valid Class 1 medical certificate referred to in paragraph (a) of subregulation (1), is deemed to hold a valid Class 2 medical certificate referred to in paragraph (b) of subregulation (1).

(3) An air traffic service personnel member who holds a valid Class 3 medical certificate referred to in paragraph (c) of subregulation (1), is deemed to hold a valid Class 2 medical certificate referred to in paragraph (b) of subregulation (1).

(4) Upon expiry of a Class 1 medical certificate referred to in paragraph (a) of subregulation (1), such medical certificate is deemed valid for the remainder of the period for which it would have been valid as a Class 2 medical certificate referred to in paragraph (b) of subregulation (1) as specified in regulation 67.00.4.

(5) Upon expiry of a Class 3 medical certificate referred to in paragraph (a) of subregulation (1), such medical certificate is deemed valid for the remainder of the period for which it would have been valid as a Class 2 medical certificate referred to in paragraph (b) of subregulation (1), as specified in regulation 67.00.4.

(6) The medical requirements and standards to be complied with by an applicant for, or the holder of, a Class 1, 2, or 3 medical certificates are set out in Document NAM-CATS 67.

Period of validity of medical certificates

67.00.4 (1) A Class 1 medical certificate must be issued for a period of -

- (a) twelve calendar months, calculated from the last day of the calendar month in which the medical certificate is issued, where the applicant is less than 40 years of age on the date on which the medical certificate is issued;
- (b) six calendar months in the case of an airline transport pilot (aeroplane, helicopter or powered-lift), engaged in single-crew commercial air transport operations, calculated from the last day of the calendar month in which the medical certificate is issued, where the applicant is 40 years of age or older on the date on which the medical certificate is issued;
- (c) twelve calendar months in the case of an airline transport pilot (aeroplane, helicopter or powered-lift), engaged in multi-crew commercial air transport operations, calculated from the last day of the calendar month in which the medical certificate is issued, where the applicant is 40 years of age or older, but less than 60 years of age, on the date on which the medical certificate is issued;

- (d) twelve calendar months in the case of a commercial pilot (aeroplane, helicopter or powered-lift), calculated from the last day of the calendar month in which the medical certificate is issued, where the applicant is 40 years of age or older, but less than 60 years of age, on the date on which the medical certificate is issued; and
 - (e) six calendar months in the case of a pilot as specified in subparagraph (c) and (d), where the applicant is 60 years of age or older.
- (2) A Class 1 medical certificate referred to in paragraphs (c) and (d) of subregulation (1) is valid subject to the condition that -
- (a) the applicant submits a six-monthly medical report, if he or she has a medical disease or risk factor for which he or she receives regular treatment by his or her treating medical practitioner or a designated aviation medical examiner and the report must include, the:
 - (i) nature of disease or risk factor;
 - (ii) information regarding control of disease or risk factor;
 - (iii) complications that have developed as a result of the disease or risk factor; and
 - (iv) type of treatment and side-effects of treatment;
 - (b) the applicant submits an annual follow-up blood test result, where applicable; and
 - (c) the applicant adheres to the requirements of any Schedule or Protocol set out in Document NAM-CATS 67, where applicable.
- (3) Subject to subregulation (6), the Executive Director must issue a Class 2 medical certificate for a period of -
- (a) sixty calendar months, in the case of a private pilot, aeroplane, helicopter and powered-lift; student pilot, glider pilot, airship pilot, cabin crew member, free balloon pilot, flight engineer, recreational pilot (light sporting aeroplanes) and recreational pilots with Part 96 authorisation, calculated from the last day of the calendar month in which the medical certificate is issued, where the applicant is less than 40 years of age on the date on which the medical certificate is issued;
 - (b) twenty four calendar months, in the case of a private pilot: aeroplane, helicopter and powered-lift, student pilot, glider pilot, airship pilot, cabin crew member; free balloon pilot, flight engineer, recreational pilot (light sporting aeroplanes) and recreational pilots with Part 96 authorisation, calculated from the last day of the calendar month in which the medical certificate is issued, where the applicant is 40 years of age or older on the date on which the medical certificate is issued;
 - (c) twelve calendar months, in the case of a private pilot: aeroplane, helicopter and powered-lift; student pilot, glider pilot, airship pilot, cabin crew member, free balloon pilot, flight engineer, recreational pilot (light sporting aeroplanes) and recreational pilots with Part 96 authorisation, calculated from the last day of the calendar month in which the medical certificate is issued, where the applicant is 50 years of age or older on the date on which the medical certificate is issued;

- (d) sixty calendar months, in the case of a recreational pilot (microlight aeroplanes), and recreational pilot (gyroplanes), calculated from the last day of the calendar month in which the medical certificate is issued, where the applicant is less than 40 years of age on the date on which the medical certificate is issued;
 - (e) twenty four calendar months, in the case of a recreational pilot (microlight aeroplanes) and recreational pilot (gyroplanes), calculated from the last day of the calendar month in which the medical certificate is issued, where the applicant is 40 years of age or older on the date on which the medical certificate is issued; and
 - (f) twelve calendar months, in the case of a recreational pilot (microlight aeroplanes); recreational pilot (gyroplanes) and an air traffic service assistant, calculated from the last day of the calendar month in which the medical certificate is issued, where the applicant is 50 years of age or older on the date on which the medical certificate is issued.
- (4) Subject to subregulation (6), the Executive Director must issue a Class 3 medical certificate for a period of -
- (a) forty-eight calendar months, calculated from the last day of the calendar month in which the medical certificate is issued, where the applicant is less than 40 years of age on the date on which the medical certificate is issued; and
 - (b) twenty-four calendar months, calculated from the last day of the calendar month in which the medical certificate is issued, where the applicant is 40 years of age or older on the date on which the medical certificate is issued; and
 - (c) twelve calendar months, calculated from the last day of the calendar month in which the medical certificate is issued, where the applicant is 50 years of age or older on the date on which the medical certificate is issued.
- (5) A medical fitness certificate for hang gliders and paragliders is valid for:
- (a) for a period not exceeding sixty calendar months, calculated from the last day of the calendar month in which the medical fitness certificate is issued, where the applicant is less than 40 years of age on the date on which the medical fitness certificate is issued; and
 - (b) thirty-six calendar months, calculated from the last day of the calendar month in which the medical fitness certificate is issued, where the applicant is 40 years of age or older on the date on which the medical fitness certificate is issued.
- (6) Despite the provisions of subregulation (1), (2), (3) and (4), the Executive Director may impose limitations or reduce the period of validity of the medical certificate and endorse the medical certificate with the reason for such reduction or limitation:
- (a) if clinical indications require that medical examinations or tests be performed at shorter intervals; or
 - (b) if clinical indications require that additional examinations or tests be performed; or
 - (c) when the safe performance of the functions essential to the operation of an aircraft executed by the holder of such medical certificate depends on a reduction in the period of validity of such medical certificate or compliance with any limitation.

(7) The holder of a medical certificate who wishes to obtain an extension of the validity of a medical certificate must, at least 15 days immediately preceding the date on which such medical certificate expires, apply to the Executive Director for the extension of such medical certificate.

(8) Despite the provisions of subregulation (1), (2), (3), (4) and (6), the Executive Director may, on such conditions as he or she considers necessary, extend the medical certificate for a period not exceeding 30 days.

Waiver and special medical certificate

67.00.5 (1) If the applicant for medical certificate does not meet the medical standards within any Schedule or Protocol set out in Document NAM-CATS 67, the Executive Director may not issue or renew a medical certificate unless the following conditions are fulfilled:

- (a) an accredited medical conclusion indicates that in special circumstances the applicant's failure to meet the requirement, whether numerical or otherwise, is such that the exercise of the privileges of the licence applied for is not likely to endanger flight safety;
- (b) the relevant ability, skill and experience of the applicant and the operational conditions applicable to the applicant have been given due consideration; and
- (c) the applicable licence is endorsed with any limitations where the safe performance of the licence holder's duties is dependent on compliance with such limitation.

(2) Any abuse of the provisions of waiver referred to in subregulation (1) is unacceptable and the Executive Director may request an aviation medical assessor to investigate any instances of suspected abuse.

(3) Depending on the outcome of the investigation referred to in subregulation (2) the Executive Director may in terms of the Act take appropriate action which may include the revoking of the designation status of the aviation medical examiner.

(4) The aviation medical examiner's recommendation to issue a waiver may only be made with the concurrence of the medical assessor after:

- (a) subjecting the applicant or licence holder to a critical analysis involving a detailed personal examination by the primary aviation medical examiner; and
- (b) after deliberation with those who assisted to formulate the accredited medical conclusion.

(5) The Executive Director may, on recommendation by the aviation medical assessor, decide to issue the waiver with or without imposing limitations on the license holder in the interest of aviation safety.

(6) On making a decision in terms of subregulation (5), the Executive Director must issue a special medical certificate to the applicant or the licence holder to denote the grant of the waiver.

(7) Accredited medical conclusion must be obtained from individuals or institution with the expert knowledge of the specific medical subject in question, and must be dealt with by the medical assessors on behalf of the Executive Director.

(8) Applicants or licence holders who do not meet the medical standards prescribed in regulation 67.00.3 may be considered for a waiver of standards.

(9) The Executive Director may issue a special medical certificate in exceptional circumstances based on the outcome of the accredited medical conclusion.

(10) An applicant or licence holder who has been granted a special medical certificate based on a special medical flight or practical test is not required to take the test again during physical examinations unless requested by the medical assessor.

(11) Any non-compliance by the applicant or licence holder with the limitations to or conditions of issuance of the special medical certificate, as reported by the aviation medical examiner or operations personnel of the Authority may lead to the revocation of the special medical certificate pending an investigation into the non-compliance.

(12) The Executive Director may revoke a special medical certificate in instances when:

- (a) there is adverse change in the holder's medical condition;
- (b) public safety is endangered by the holder's exercise of his or her license privileges;
or
- (c) the holder fails to provide medical information reasonably needed by the Authority for certification or re-certification.

(13) If a special medical certificate is revoked, the Executive Director must serve the holder of the certificate with a letter of revocation, stating the reason for the action.

(14) In the case where the medical examiner has revoked a special medical certificate, the holder of the certificate may within 60 days of receipt of the letter of revocation request in writing, the Executive Director to review the decision to revoke.

(15) The request for review in terms of subregulation (14) must be accompanied by supporting medical evidence.

(16) The Executive Director must consider the request for review made in terms of subregulation (14) and may request any such information necessary in consideration of the request.

(17) The Executive Director must issue a written final decision within 60 days of receipt of the request for review made in terms of subregulation (14), either affirming or reversing the decision to revoke.

(18) If, prior to expiry of a special medical certificate, the aviation medical examiner determines that the holder of the certificate still qualifies for the continuation of the special medical certificate, he or she must present the case with a full brief and all the supporting documents to the designated medical assessor, not later than ten working days before the date of expiry of the existing special medical certificate for consideration.

(19) The aviation medical assessor must, within 10 working days, notify the holder of the special medical certificate of the outcome of the decision to re-issue the special medical certificate.

(20) The Executive Director may accept, on an individual basis, valid aeromedical waivers issued by an appropriate authority for a period not exceeding three months.

(21) The holder of the valid aeromedical waiver referred to in subregulation (20) must present an original or a certified copy of the waiver issued by the appropriate authority duly signed and stamped by the issuing aviation medical examiner and also by the facility where the original proceedings for the waiver were conducted.

(22) The medical examiner and the facility referred to in subregulation (21) must either be approved by the Executive Director or should be on the list of facilities approved by the appropriate authority.

(23) The original certificate or certified copy of the aeromedical waiver referred to in subregulation (21) must be in the English language.

Aeromedical boards

67.00.6 (1) The Executive Director may use the services of aeromedical boards, as established within the Authority, for the review of complex medical cases.

(2) An aeromedical board, when established by the Executive Director, must assist the aviation medical assessor to evaluate medical cases which due to their complexity or uniqueness, warrant a comprehensive aeromedical evaluation.

(3) An aeromedical board must comprise of at least three aviation medical examiners, including the principal aviation medical examiner dealing with the case.

(4) Aviation medical examiners referred to in subregulation (3) must be selected on the basis of the relevance of their education, knowledge and experience to the case in question.

(5) If the applicant for a medical certificate is not satisfied by the decision of the aeromedical board the applicant may in writing appeal to the Executive Director within 30 days of the receipt of the medical certificate.

(6) The Executive Director must provide a copy of the written appeal referred to in subregulation (5) to the designated aviation medical examiner who was dealing with the case.

(7) The Executive Director must respond to the appeal referred to in in subregulation (5) within fourteen working days of receipt of the appeal document.

Application for medical certificate

67.00.7 (1) An application for the issuing of a medical certificate must be made to the designated medical examiner on the appropriate form as determined by the Executive Director.

(2) An applicant who attends a medical examination or test for the issuing of a medical certificate must:

- (a) produce proof of his or her identity;
- (b) submit the medical history and declaration set out in Document NAMCATS 67, and
- (c) produce for inspection any licence held for which the certificate is required and the most recent medical certificate held, if any.

(3) The Executive Director or the aviation medical assessor may suspend or revoke the medical certificate of an applicant in terms of regulation 67.00.13, if the applicant made a false declaration in terms of paragraph (b) of subregulation (2).

(4) Subject to subregulation (2) of regulation 67.00.2 the designated medical examiner must issue a medical certificate to an applicant who complies with the appropriate medical requirements and standards.

Issuing of medical certificate

67.00.8 (1) The designated aviation medical examiner must issue the medical certificate on the appropriate form determined by the Executive Director.

(2) The designated aviation medical examiner must within seven days from the end of the month in which the medical certificate has been issued sign and submit the original application together with any appropriate:

- (a) supporting medical reports; and
- (b) results of medical examinations or tests performed,

to the Executive Director or aviation medical assessor for verification purposes.

(3) If the medical report is submitted to the Executive Director in an electronic form, the submitting AME must provide adequate identification of himself or herself.

(4) If the medical examination is carried out by two or more designated aviation medical examiners, the Executive Director must designate one examiner to be responsible for coordinating the results of the examination, evaluating the findings with regard to medical fitness and signing the report.

(5) On receipt of the documents referred to in subregulation (2), the aviation medical assessor must verify that the holder of the medical certificate complies with the appropriate medical requirements and standards referred to in subregulation (6) of regulation 67.00.3.

(6) A medical certificate issued by the designated aviation medical examiner remains in force subject to any requirement or limitation endorsed on the certificate and for the period for which it was issued: Provided that the Executive Director or medical assessor, may -

- (a) if the medical certificate has been issued to an applicant who does not comply with the appropriate medical requirements and standards referred to in subregulation (6) of regulation 67.00.3, revoke the medical certificate; or
- (b) if medical conclusion requires that:
 - (i) medical examinations or tests be performed at shorter intervals;
 - (ii) additional examinations or tests be performed; or

- (iii) when the safe performance of the duties essential to the operation of an aircraft, of the holder of the medical certificate, depends on compliance with any special limitation,

endorse the medical certificate with such requirement or limitation.

Medical certificates

67.00.9 (1) If the designated aviation medical examiner has completed the medical examination and has concluded that the applicant for the medical certificate is medically fit the medical examiner must issue the medical certificate.

(2) The medical certificate issued in terms of subregulation (1) is valid as per the class of medical certificate referred to in regulation 67.00.3.

(3) The medical certificate holder must always carry the medical certificate with the applicable license.

(4) The medical certificate holder must renew the certificate within 30 days before the expiry date.

(5) The licence holder must notify the Authority on the confirmation of a pregnancy, or of any incapacitating injury or illness experienced for a period of 20 consecutive days or more.

(6) All incapacitating events automatically result in temporary unfitness and the holder of the medical certificate must stop using the privileges of his or her licence and certificate with immediate effect.

Re-examination of license holder

67.00.10 (1) The aviation medical assessor may require a medical certificate holder to undergo a re-examination at any time if, in the opinion of the medical examiner there is a reasonable basis to question the holder's ability to meet the medical standards.

(2) Only an aviation medical assessor may order a re-examination referred to in subregulation (1).

Replacement of medical certificates

67.00.11 (1) Upon application by the medical certificate holder the Executive Director or the designated aviation medical examiner may issue a duplicate valid medical certificate in respect of medical certificates that are lost or accidentally destroyed.

(2) The application for the duplicate of a medical certificate must be sent to the licensing department of the Authority, and must contain the following information -

- (a) full names of the holder;
- (b) date of birth of the holder;
- (c) class of certificate;

- (d) place and date of examination;
- (e) name of the examiner: and
- (f) sworn affidavit of the circumstances under which the original certificate was lost or destroyed.

(3) The Executive Director or the designated aviation medical examiner must issue a duplicate medical certificate upon receipt of the holder's request and the fee as prescribed in Part 187.

(4) The duplicate medical certificate is issued as a duplicate of the missing certificate and must bear the same date of examination regardless of when it is issued.

Medical certificate applicant and holder rights and responsibilities

67.00.12 (1) An applicant for a medical certificate and presenting themselves to the designated aviation medical examiner for a medical examination is entitled to:

- (a) expect that the aviation medical examiner will examine him or her in accordance with the medical standards as prescribed in regulation 67.00.3;
 - (b) expect that the aviation medical examiner is current with the general medical knowledge, the knowledge of aviation medicine, international standards and the Regulations;
 - (c) expect the aviation medical examiner to advise him or her of the best options available applicable to his or her case and discuss each option and all procedures in details and discuss the effectiveness of any medications and possible implications on his or her health and flight safety;
 - (d) expect that good management techniques will be implemented in the designated AME clinic, considering effective use of time and to avoid personal discomfort;
 - (e) be examined by any of the aviation medical examiners at any of the designated AME's clinics;
 - (f) expect that treatment records are confidential and that records may only be disclosed as required by law and by the Regulations;
 - (g) expect that when records are released to others it must be emphasised that the records are confidential;
 - (h) privacy; and
 - (i) express a complaint and receive a response without fear of being compromised, and all complaints must be forwarded to the licensing department of the Authority.
- (2) The applicant for a medical certificate or a medical certificate holder may not -
- (a) disengage from the designated aviation medical examiner in the middle of an examination and switch to another aviation medical examiner;

- (b) once a decision is given by one designated aviation medical examiner, submit for the same examination to another aviation medical examiner falsifying the medical examiners statement and pretending to be appearing for the medical examination for the first time.
- (3) In the cases referred to in subregulation (2), the applicant for a medical certificate will be in violation of the Regulations and the provisions of regulation 67.00.13 apply.
- (4) In case of paragraph (b) of subregulation (2) having occurred, the examination performed by the second aviation medical examiner is invalid.
- (5) A designated aviation medical examiner knowingly conducting a medical examination on an applicant for a medical certificate in a case where that applicant has completed a medical examination with another aviation medical examiner will be dealt with in accordance with regulation 67.00.15.
- (6) Any applicant for a medical certificate who is not satisfied with the decision given by the designated aviation medical examiner has the right to appeal to the Executive Director within ten days of the examination.
- (7) On receipt of an appeal in terms of subregulation (6), the Executive Director after careful assessment of the case must review the decision appealed against and if he or she considers is necessary, may request that the applicant be examined by another designated aviation medical examiner.
- (8) The expenses of any additional medical examinations in the case of an appeal in terms of subregulation (6) must be borne by the applicant.
- (9) Any applicant for a medical certificate who is not satisfied with the test results of one laboratory is entitled to ask the designated aviation medical examiner to repeat the same test with a different laboratory.
- (10) The expenses for a repeat testing in terms of subregulation (9) must be borne by the applicant and the results of both or all tests must be submitted to the Authority.
- (11) An applicant for a medical certificate who is not satisfied with the decision regarding his or her medical fitness or the limitations imposed during the course of a routine medical examination or through a board established by the Authority for this purpose has the right to query the results with the designated AME or an designated aviation medical assessor.
- (12) Limitations imposed on a medical certificate may be lifted once it is determined by the designated AME or aviation medical assessor that there is no need for the limitations.
- (13) The applicant for a medical certificate must -
- (a) treat the designated aviation medical examiner with courtesy and respect;
 - (b) present accurate identifying information;
 - (c) inform the designated aviation medical examiner of any changes to name, address, telephone number or e-mail address within seven days of occurrence of the change;
 - (d) present illness or complaint in every detail including information about his or her health, including past illnesses, hospital stays, and the use of medicine and may not deliberately hold any information back;

- (e) ensure that the renewal of the medical certificate is completed on time;
- (f) comply with any recommendations regarding follow up and investigations provided by the designated AME;
- (g) ask for clarification when needed before completion of the examination form; and
- (h) carry the medical certificate on his or her person when carrying out his or her duties as a flight crew member, an air traffic service personnel member or a cabin crew member, as the case may be.

(14) The license holder may not under any circumstances act as a pilot-in-command, or in any other capacity as a flight crew member, an air traffic service personnel member or a cabin crew member:

- (a) while he or she is aware of any medical condition or medication which could affect the validity of such medical certificate;
- (b) while she is pregnant during periods and under circumstance set out in Document NAM-CATS 67;
- (c) if the holder has given birth in the preceding six weeks; or
- (d) after a medical certificate has expired.

(15) License holders or student pilots may not exercise the privileges of their licence, rating or authorisation at any time when they are aware of any decrease in their medical fitness which might render them unable to safely exercise those privileges and they must seek the advice of the Authority or a designated aviation medical examiner when becoming aware of the need to undergo:

- (a) a surgical operation or invasive procedure;
- (b) all procedures requiring the use of a general or spinal anesthetic, and in this case may not fly for at least 48 hours;
- (c) all procedures requiring local or regional anesthetic, such as a visit to dentist requiring an injection and, in this case, may not fly for at least 12 hours;
- (d) the regular use of medication;
- (e) regular use of correcting lenses;
- (f) hospital or clinic admission for more than 12 hours;
- (g) any injury which requires medical attention;
- (h) pregnancy;
- (i) absence due to illness for a period of more than 21 days; or
- (j) psychiatric treatment, which renders such holder unable to comply with the appropriate medical requirements and standards referred to in regulation 67.00.3 and its associated technical standards contained in Document NAM-CATS 67.

(16) For all the conditions mentioned in subregulation (15), the medical certificate holder must, before such holder resumes exercising the privileges of the licence held by him or her, furnish the Executive Director or aviation medical assessor with proof that he or she has fully recovered from the illness or disease of circumstance in medical fitness or provide proof of any exemption or waiver granted in that regards.

(17) A medical certificate holder may not -

- (a) consume any alcohol or any other substance which is either narcotic or otherwise capable of impairing his or her judgment or affecting the performance of his or her duties less than 12 hours prior to the specified reporting time for operational duty or the commencement of a shift;
- (b) commence an operational duty while the concentration of alcohol in any specimen of blood taken from any part of his or her body is more than 0,02 gram per 100 milliliters;
- (c) consume alcohol or any other substance which is either narcotic or otherwise capable of impairing his or her judgement or affecting the performance of his or her duties during the operational duty period or whilst on standby for operational duty; or
- (d) commence an operational duty period while under the influence of alcohol or any other substance which is either narcotic or otherwise capable of impairing his or her judgement or affecting the performance of his or her duties.

(18) Medical certificate holders may not -

- (a) exercise the privileges of their licences and related ratings while under the influence of any psychoactive substance which might render them unable to safely and properly exercise the privileges; and
- (b) engage in any problematic use of substances.

(19) Medical certificate holders may not exercise the privileges of their licences and related ratings while suffering from any of the medical conditions or using any medications set out in in Document NAM-CATS 67, unless the existence of any such medical condition or the use of such medication has been declared, and evaluated, by the designated aviation medical examiner and determined by the aviation medical examiner to be not adverse to aviation safety.

Suspension or cancellation of medical certificate

67.00.13 (1) The aviation medical assessor may suspend, where such power is delegated to him or her in terms of the Act, a medical certificate if there is a reasonable suspicion that the holder of the medical certificate does not comply with the requirements prescribed in this Part or makes a false declaration as prescribed in subregulation (1)(b) of regulation 67.00.7.

(2) Immediately following a suspension in terms of subregulation (1) the designated aviation medical assessor must report in writing the fact and circumstances of the suspension to the Executive Director.

(3) The designated aviation medical assessor may require the holder of a medical certificate whose certificate has been suspended in terms of this regulation, to undergo any medical examination at the holder's expense, at a medical specialist chosen by the aviation medical assessor.

(4) A notice of the suspension of medical certificate referred to in subregulation (1) must be given in writing, stating the reason or reasons for the suspension.

(5) Despite subregulation (3), the designated aviation medical assessor may notify the medical certificate holder of the suspension: Provided that a written notification of such suspension is submitted to the holder immediately.

(6) A person whose medical certificate is suspended in terms of subregulation (1) may appeal to the Executive Director against the suspension within 14 days from the date of the suspension.

(7) The powers of suspension contained in this regulation are without prejudice to the powers of the Executive Director under the Act to suspend, revoke or impose conditions on any aviation document.

Period of validity of medical records

67.00.14 The records of medical examinations are for the purpose of issuing a medical certificate valid for a period not exceeding 90 days, and a medical certificate may not be issued after this period on the records of such examination.

Designation of aviation medical examiners

67.00.15 (1) The Executive Director may, after consultation with the designated aviation medical assessor, designate aviation medical examiners to perform medical examinations or tests required for the issuing of medical certificates.

(2) The requirements relating to the designation referred to in subregulation (1) are as set out in Document NAM-CATS 67.

(3) The Executive Director must sign and issue to each designated aviation medical examiner a document which must state the full name of such aviation medical examiner and contain a statement that:

- (a) such aviation medical examiner has been designated in terms of subregulation (1); and
- (b) such aviation medical examiner is empowered to:
 - (i) perform the medical examination or test required for the issuing of the appropriate medical certificate;
 - (ii) subject to the provisions of regulation 67.00.8, issue such medical certificate; or
 - (iii) defer the issuing of such medical certificate pending an appropriate recommendation from the aviation medical assessor, designated organisation.

(4) In considering an application for designation as an aviation medical examiner the Executive Director may conduct any investigation that he or she considers necessary and this investigation may include pre-audits to assess competence, suitability of the facility, equipment and personnel prior to designation.

(5) The aviation medical assessor must conduct periodic oversight of the competence of all designated aviation medical examiners to assess suitability of their facilities, equipment and training of their personnel.

(6) The conditions and requirements for and the rules, procedures and standards connected with the competence, suitability of the facility, equipment and training of the personnel as referred to in subregulation (2) must be as set out in Document NAM-CATS 67.

(7) An application for designation in terms of this regulation must be made in accordance with the requirements, rules, procedures and standards set out in Document NAM-CATS 67, and must be accompanied by the applicable fee, as prescribed in Part 187.

Validations

67.00.16 (1) The Executive Director may recognise any or medical examiner foreign medical report, medical assessment or medical certificate issued by an appropriate authority for the purpose of validating or converting a foreign flight crew member's licence, air traffic service personnel member's licence or cabin crew member's licence.

(2) If, because of duty in a State or territory outside Namibia, deferral has been made for the issuing of a Namibian medical certificate for a flight crew member or a cabin crew member such deferral may not exceed:

- (a) a single period of six months in the case of a flight crew member of an aircraft used in non-commercial operations;
- (b) two consecutive periods, each of three months:
 - (i) in the case of a flight crew member or a cabin crew member, as the case may be, of an aircraft used in commercial operations: Provided that in each case a favourable medical report is obtained after examination by a designated examiner of the area concerned; or
 - (ii) in cases where such a designated medical examiner is not available, by a physician legally qualified to practice medicine in that area; and
- (c) in the case of a private pilot, a single period not exceeding 24 months where the medical examination is carried out by an examiner designated by the relevant State in which the applicant is temporarily located.

(3) Following the expiry of the periods referred to in subregulation (2), an applicant for a validation in terms of this regulation must undergo the appropriate Namibian medical examination as soon as he or she returns to Namibia.

(4) The appropriate authority or medical examiner who issued the report referred to in subregulation (1) must send the report to the Executive Director for review.

Foreign medical examinations

67.00.17 (1) The Executive Director may recognise any foreign medical report, history, examination form and investigations issued by an appropriate authority for the purposes of renewing a flight crew member's licence.

(2) This regulation applies to flight crew members who already hold a Namibian licence and are based outside the borders of Namibia and are unable, for any reason, to come to Namibia to undergo a medical examination.

(3) If subregulation (2) applies, the flight crew member must submit to the Executive Director all the medical records, which may include, but is not limited to, a history and examination form signed by both the licence holder and the examining medical practitioner registered with the appropriate authority, and all relevant investigations.

(4) The Executive Director must confirm that all the Namibian standards have been met by the licence holder referred to in subregulation (1).

(5) All medical records for the purpose of this subregulation submitted in terms of this regulation must be in the English language, or if originally in a foreign language, translated into the English language by an appropriate person who must then authenticate the translation with his or her signature.

(6) The Executive Director may refuse to recognise any foreign medical records for the purpose of this regulation where, in his or her opinion, doubt exists as to their authenticity.

(7) Flight crew members who have undergone an examination by a Namibian designated aviation medical examiner based in a foreign country and have been issued with the appropriate medical certificate are deemed to have undergone a Namibian medical examination.

Medical confidentiality

67.00.18 (1) Designated aviation medical examiners must:

- (a) respect medical confidentiality, at all times and at every stage of the handling of the applicant's or the holder documents before, during, or after their examination and certification;
- (b) securely hold medical reports and accessibility of such records must be restricted to authorised personnel;
- (c) personally conduct all the examination for all the medical assessments in an approved facility or clinic, where confidentiality of the applicant's medical information is respected;
- (d) when completing an aeromedical assessment forward the original medical report form to the Authority and the record must be accompanied by a photocopy of the medical certificate issued to the applicant;
- (e) ensure that all the medical reports are accompanied by the original of the Electrocardiogram (ECG) and the audiogram, and is sealed securely in an envelope, or electronically;
- (f) keep a record of all the medical examinations done in his or her clinic for at least a period of five years; and

- (g) securely keep the medical reports in a specific location, allowing access to authorised person only.

(2) The medical information contained in the Authority's files remains the property of the Authority and must be released only with the permission of the holder of the medical certificate or applicant for medical certificate.

(3) Except as provided in subregulation (4), all information provided by or on behalf of an applicant for a medical certificate, which is personal medical information, is confidential, and may be used only in respect of the medical certificate and the entire medical certification process, unless otherwise authorised by the applicant.

(4) The designated aviation medical assessor must ensure that the information referred to in subregulation (1) and which is kept by such medical examiner, is protected: Provided that -

- (a) if such medical information appears to be fraudulent, false or misleading, or
- (b) if such medical information discloses a risk of jeopardy to aviation safety, or
- (c) if such medical information is necessary for the purpose of an appeal in terms of regulation 67.00.13 or an appeal in terms of the Act against the suspension or revocation of, or the imposition of a condition upon, an aviation document,

the aviation medical assessor must without delay release to the Executive Director such information for appropriate investigation and action.

(5) When justified by operational considerations, the aviation medical assessor must determine to what extent pertinent medical information is presented to the relevant officials of the Authority.

(6) The Authority must control the release of information between designated aviation medical examiners.

(7) If the applicant for a medical certificate changes his or her designated aviation medical examiner, the new aviation medical examiner must request the former aviation medical examiner officially to release any confidential medical information related to the applicant, subject to the applicant's permission.

- (8) The Authority must be informed of changes referred to in subregulation (7).

Substance abuse and suspected substance abuse

67.00.19 (1) If there is a reasonable suspicion that the medical certificate holder is abusing substances, and as a result poses a risk to aviation safety, the designated aviation medical assessor must require such holder to undergo substance abuse testing as set out in Document NAM-CATS 67.

(2) Reasonable suspicion referred to in subregulation (1) may consist of the following, but is not limited to -

- (a) an individual reasonably suspected of substance use by others;
- (b) physical, behavioral and performance indicators;

- (c) direct observation of substance use and physical symptoms;
- (d) a pattern of abnormal conduct or erratic behaviour;
- (e) arrest or conviction for a drug related offence;
- (f) being the target of a criminal investigation for offence related to abuse of substances;
- (g) evidence of tampering with previous substance test specimen; and
- (h) evidence of rehabilitation.

(3) The medical certificate holder referred to in subregulation (1) must submit himself or herself within 48 hours of being required to do so to a collection officer appointed by the Executive Director, or to designated an aviation medical examiner for preliminary substance abuse testing at the holder's expense, as set out in Document NAM-CATS 67.

(4) A medical certificate holder who has undergone preliminary testing in terms of the subregulation (3) must be informed of the results within three days of receipt of the results.

(5) The designated aviation medical assessor may suspend the medical certificate of a person who has received a non-negative result and such person must be required to undergo further confirmatory testing.

(6) The medical certificate holder who has received a negative result must be refunded the medical expenses incurred for collection and analysis of specimen in respect of the substance abuse testing.

(7) The medical certificate holder who submits himself or herself after 48 hours of being required to do so is required to undergo confirmatory testing, as set out in the Document NAM-CATS 67.

(8) An designated aviation medical assessor may suspend, for a period of not more than 12 months, the medical certificate of a person who refuses to submit himself or herself to a substance abuse testing after being required to do so and must immediately report in writing to the Executive Director the facts and circumstances of such suspension.

(9) The holder of a medical certificate whose medical certificate is suspended in terms of subregulation (5) or (8) may appeal to the Executive Director against the suspension within 14 days from the date of the suspension.

(10) The provisions of regulation 185.00.6 apply with changes required in the context to an appeal lodged in terms of subregulation (9).

(11) The powers of suspension contained in this regulation are without prejudice to the powers of the Executive Director under the Act to suspend, revoke or impose conditions on any aviation document.

(12) The site and specimen collection, packaging, transport and laboratory analysis must be done as set out in Document NAM-CATS 67.”.

Substitution of Part 141 of the Regulations

10. The Regulations are amended by the substitution for Part 141 of the following Part:

“PART 141**ORGANISATIONS: AVIATION TRAINING ORGANISATIONS****SUBPART 1 GENERAL**

- 141.01.1 Applicability
- 141.01.2 Approval of an aviation training organisation
- 141.01.3 Display of aviation training organisation certificate
- 141.01.4 Advertisements
- 141.01.5 Safety inspections and audits
- 141.01.6 Register of certificates

SUBPART 2 CERTIFICATION OF AVIATION TRAINING ORGANISATION

- 141.02.1 Requirements for certificate
- 141.02.2 Training and procedures manual
- 141.02.3 Quality management system
- 141.02.4 Safety management system
- 141.02.5 Personnel requirements
- 141.02.6 Accommodation, facilities and equipment
- 141.02.7 Application for certificate to conduct aviation training and amendment of training programme
- 141.02.8 Issuing of aviation training certificate
- 141.02.9 Scope of certificate
- 141.02.10 Period of validity
- 141.02.11 Transferability
- 141.02.12 Changes in quality assurance system
- 141.02.13 Renewal of certificate
- 141.02.14 Duties of holder of certificate
- 141.02.15 Documents and records
- 141.02.16 Training programmes
- 141.02.17 Oversight
- 141.02.18 Evaluation and checking

SUBPART 3 CERTIFICATION OF ORGANISATION (TEMPORARY AVIATION TRAINING)

- 141.03.1 Requirements for certificate to conduct temporary aviation training
- 141.03.2 Application for certificate to conduct temporary aviation training
- 141.03.3 Issuing of certificate to conduct temporary aviation training
- 141.03.4 Scope of certificate to conduct temporary aviation training
- 141.03.5 Period of validity of certificate to conduct temporary aviation training
- 141.03.6 Transferability of certificate to conduct temporary aviation training
- 141.03.7 Duties of holder of certificate of certificate to conduct temporary aviation training

SUBPART 1 GENERAL**Applicability**

141.01.1 (1) This Part prescribes the requirements relating to the certification of organisations conducting -

- (a) aviation training for the issuing, re-issuing, validation or revalidation of any personnel licence or approval or rating in terms of the Regulations;
- (b) temporary aviation training for the issuing, re-issuing, or validation or revalidation of any personnel licence, approval or rating in terms of the Regulations; and
- (c) competency-based training for flight operations officer or flight dispatcher personnel.

(2) This Part does not apply to:

- (a) training for the renewal of type ratings for pilots and in-house training conducted in terms of Parts 121, 127, 135, 139, 145, 147, 148, 172, 173 and 174 of these regulations: Provided that such training is not conducted for the issuing, re-issuing, or validation or revalidation of any personnel licence or rating or for the training of flight operations officers or flight dispatch personnel, in terms of these regulations;
- (b) training conducted in the interests of aviation safety: Provided that such training or instruction is not conducted for the issuing, reissuing, validation or revalidation of any personnel licence, approval or rating in terms of the Regulations; or
- (c) training conducted by an aviation security training organisation referred to in the provisions of Part 109 of the Regulations, which training is conducted in accordance with that Part.

(3) In this Part any requirements for the issuing, renewal and re-issuing of an aviation document in terms of this Part are subject to, and must be read in conjunction with, the requirements in the Act and technical standards relating to aviation documents.

Approval of aviation training organisation

141.01.2 (1) The Executive Director may approve an applicant as an aviation training organisation, to:

- (a) conduct the aviation training for the issuing, re-issuing, validation or revalidation of any personnel licence or approval or associated rating in terms of these regulations;
- (b) implement standards for aviation training and for the training of persons conducting aviation training in terms of the Regulations;
- (c) keep all books or documents regarding to aviation training; and
- (d) liaise with the Executive Director on any matter connected with the aviation training.

(2) The holder of the aviation training organisation certificate issued in terms of this Part must perform its functions according to the requirements prescribed in Subparts 2 and 3 of this Part.

Display of aviation training organisation certificate

141.01.3 The holder of an aviation training organisation certificate issued in terms of this Part must -

- (a) display the certificate in a prominent place, generally accessible to the public at the holder's principal place of business and if a copy of the certificate is displayed, a certified copy; and
- (b) produce the certificate to an authorised officer, inspector or authorised person if so requested by such officer, inspector or the authorised person.

Advertisements

141.01.4 (1) Any advertisement by an approved ATO indicating that it is an aviation training organisation, must -

- (a) indicate the aviation training organisation certificate number issued by the Executive Director; and
- (b) contain a reference to the aviation training for which the certificate referred to in paragraph (a) was issued.

(2) An approved ATO may not make any statement, either in writing or orally, about itself that is false or is intended to mislead any person or the general public.

Safety inspections and audits

141.01.5 An applicant for the issuing of an aviation training organisation certificate must permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits -

- (a) which may be necessary to verify the validity of any application made in terms of this Part; or
- (b) to determine compliance with the appropriate requirements prescribed in this Part.

Register of certificates

141.01.6 (1) The Executive Director must keep a register of all aviation training organisation certificates issued in terms of the Regulations in this Part.

(2) The register referred to in subregulation (1) forms part of the Civil Aviation Registry established under section 52 of the Act and must contain the following particulars:

- (a) the full name of the holder of the certificate;
- (b) the postal address of the holder of the certificate;
- (c) the date on which the certificate was issued or re issued;
- (d) particulars of the scope of the certificate issued to the holder of the certificate; and
- (e) the base location of the holder of the certificate.

(3) The Executive Director must record or ensure the recording of particulars referred to in subregulation (2) within seven days of issuing an aviation training organisation certificate to the applicant, in the aviation training organisation register.

(4) The Executive Director must keep the register referred to in subregulation (1) in the Civil Aviation Registry at the offices of the Authority.

(5) The Executive Director must provide access to the particulars referred to in subregulation (2) in accordance with the provisions of section 52 of the Act.

SUBPART 2: CERTIFICATION OF AVIATION TRAINING ORGANISATIONS

Requirements for certificate

141.02.1 (1) Aviation training organisation certificates are aviation documents for the purpose of the Act.

(2) A person may not conduct aviation training specified in regulation 141.01.1 except with an aviation training organisation certificate issued in accordance with this Part.

Training and procedures manual

141.02.2 (1) The approved ATO must provide training and procedures manual for the use and guidance of its personnel and the manual must contain at least the following information:

- (a) a general description of the scope of training authorised under the aviation training organisation's terms of approval;
- (b) the contents of the training programmes and examination programmes offered, including the courses and equipment to be used;
- (c) a description of the organisation's quality assurance system in accordance with regulation 141.02.3;
- (d) a description of the organisation's facilities, including its principle base and any satellite bases;
- (e) the name, duties and qualifications of the person designated as responsible for compliance with the requirements of the certificate in paragraph (a) of subregulation (1) or regulation 141.02.5;
- (f) a description of the duties and qualifications of the personnel designated as responsible for planning, performing and supervising the aviation training;
- (g) a description of the procedures used to establish and maintain the competence of personnel;
- (h) a description of the method used for the completion and retention of the training records required by regulation 141.02.14;
- (i) a description, when applicable, of additional training needed to comply with an operator's procedures and requirements;

- (j) a description of the selection, role and duties of the personnel; and
 - (k) a description of the procedures for the testing centres, if the Executive Director has authorised an aviation training organisation to conduct the testing required for the issuing, reissuing, validation or revalidation of a personnel licence, approval or rating.
 - (l) The holder of the aviation training organisation certificate must ensure that the training and procedures manual referred to in subregulation (1) is amended as necessary to keep the information contained in the training and procedures manual up to date.
- (2) The approved aviation training organisation must ensure that copies of all amendments to the training and procedures manual is provided to all persons to whom the manual has initially been issued to.
- (3) The approved aviation training organisation must comply with the guidelines for the content of the training and procedures manual set out in Document NAM-CATS-ATO 141.
- (4) The contents of the training and procedures manual must contain the elements set out in Document NAM-CATS-ATO 141, to the extent appropriate to the type of aviation training to be provided by the approved aviation training organisation.

Quality management system

- 141.02.3** (1) The approved ATO must establish a quality management system, acceptable to the Executive Director which complies with all requirements set out in Document NAM-CATS-ATO 141.
- (2) The minimum standards for a quality management system are set out in Document NAM-CATS-ATO 141.

Safety management system

- 141.02.4** An approved ATO that is exposed to safety risks during the exercise of its functions must establish a safety management system as prescribed by Part 140 of the Regulations.

Personnel requirements

- 141.02.5** (1) The applicant for aviation training organisation certificate must employ or contract a senior person, to be identified as the chief executive office, to be the accountable manager and compliance officer of the organisation.
- (2) The accountable manager and compliance officer must ensure that the approved aviation training organisation complies with the requirements of this Part and must:
- (a) be vested with contractual authority to ensure that every activity undertaken by the organisation is sufficiently financed, has sufficient human resources and is carried out in order to meet the applicable operational requirements;
 - (b) be vested with the following powers and duties in respect of compliance with such requirements:

- (i) and must have unrestricted access to work performed or activities undertaken by all other persons employed by, or contracted to, the organisation;
 - (ii) and must have full rights of consultation with any person referred to in subparagraph (i) in respect of such compliance by him or her;
 - (iii) and must have powers to order corrective action in respect of any activity or the cessation of any activity where such compliance has not been effected;
 - (c) establish liaison mechanisms with the Executive Director with a view to ascertaining acceptable means of compliance with the requirements of this regulation, and interpretations of such requirements by the Executive Director and to facilitate liaison between the Executive Director and the organisation; and
 - (d) have powers to report directly to the management of the organisation regarding his or her investigations and consultations generally, and in cases contemplated in subparagraph (b), and with regard to the results of the liaison contemplated in subparagraph (c).
- (3) The applicant for an aviation training organisation certificate must nominate, employ or contract:
- (a) a competent person who is responsible for the quality management system and who has direct access to the accountable manager and compliance officer referred to in subregulation (1) on matters affecting airworthiness and quality;
 - (b) a competent person who is responsible for the safety management system, and who has direct access to the accountable manager and compliance officer referred to in subregulation (1) on matters affecting aviation safety;
 - (c) a competent person who is responsible for controlling maintenance activities of the organisation's aircraft, if applicable; and
 - (d) adequate personnel to plan conduct and supervise the aviation training and examination covered by the application.
- (4) The Executive Director must approve the personnel appointed in terms of the provisions of this regulation with regard to the requirements of section 68 and 69 of the Act.
- (5) The approved ATO must establish a procedure acceptable to the Executive Director for assessing and maintaining the competence of personnel involved in planning, conducting or supervising the aviation training covered by the application.
- (6) The approved ATO must ensure that the personnel responsible for training or assessing students have a combination of competence and experience adequate for the level of competence required by the Executive Director for such training or assessment.
- (7) The approved ATO must ensure that all instructional and examination personnel receive initial and recurrent training appropriate to their assigned tasks and responsibilities.
- (8) The training programme established by the approved ATO must include training in knowledge and skills related to human performance.

Accommodation, facilities and equipment

141.02.6 (1) The approved ATO must ensure that the facilities and working environment are appropriate for the aviation training to be performed and are acceptable to the Executive Director.

(2) The approved ATO must ensure that it has, or has access to, the necessary information, equipment, approved FSTD and material to conduct the aviation training for which certification is sought as set out in Document NAM-CATS 141.

(3) Where applicable, any FSTD must be qualified according to requirements established by the Executive Director as set out in Document NAM-CATS 141.

(4) The use of the FSTD must be approved by the Executive Director to ensure that it is appropriate and limited to the training to be provided by the approved ATO.

Application for certification to conduct aviation training and amendment of training programme

141.02.7 The applicant for an aviation training organisation certificate or for the approval or amendment of a training programme, must:

- (a) follow the certification or amendment process set out in Document NAM-CATS 141 for aviation training organisations and training programme approval or both; and
- (b) ensure that the application is accompanied by the appropriate fee as prescribed in Part 187.

Issuing of aviation training organisation certificate

141.02.8 (1) The Executive Director must issue an aviation training organisation certificate to the applicant, if:

- (a) the applicant complies with the requirements prescribed in this Part;
- (b) the Executive Director determines that key personnel prescribed in regulation 141.02.5 are determined to be fit and proper persons, and
- (c) the granting of the certificate is not contrary to the interests of aviation safety.

(2) The Executive Director must issue the aviation training organisation certificate in the appropriate form determined by the Executive Director.

(3) The aviation training organisation certificate must contain at least the following:

- (a) the organisation's name and location;
- (b) the date of issue and period of validity;
- (c) the terms of certification; and
- (d) the organisation's certificate number.

Scope of certificate

141.02.9 An aviation training organisation certificate must specify the aviation training which the holder of the certificate is entitled to conduct.

Period of validity

141.02.10 (1) An aviation training organisation certificate is valid for the period determined by the Executive Director, which period not exceeding two years, calculated from the date of issuing.

(2) The aviation training organisation certificate remains in force until it expires or is suspended or revoked in terms of the Act.

(3) The holder of aviation training organisation certificate must at least 60 days prior to the expiry of the certificate apply to the Executive Director for the renewal of the certificate.

(4) If the holder of an aviation training organisation certificate applies in terms of subregulation (3) for the renewal of the certificate, the existing certificate remains valid until the Executive Director issues another certificate.

(5) The holder of an aviation training organisation certificate which expires or is revoked in terms of the Act, must immediately surrender the certificate to the Executive Director.

(6) The holder of an aviation training organisation certificate which is suspended in terms of the Act must immediately produce the certificate upon suspension to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

Transferability

141.02.11 (1) An aviation training organisation certificate is not transferable.

(2) A change in ownership of the holder of a certificate to conduct aviation training is deemed to be a change of significance referred to in regulation 141.02.12.

Changes in quality assurance system

141.02.12 (1) If the holder of an aviation training organisation certificate intends to make any significant change, in the quality assurance system referred to in regulation 141.02.3, including:

- (a) the name of the organisation;
- (b) the identity of the accountable manager, safety manager and compliance officer;
- (c) the identity of the person referred to in paragraph (b) of subregulation (1) of regulation 141.02.5; or
- (d) the scope of the certificate,

the holder must apply to the Executive Director for the approval of such change.

(2) The Executive Director may approve the application change in the quality assurance system in terms of subregulation (1), if the applicant satisfies the Executive Director that it will continue to comply with the provisions of regulations 141.02.1 to 141.02.6, after the implementation of such change.

Renewal of certificate

141.02.13 (1) An application for the renewal of an aviation training organisation certificate must be:

- (a) made to the Executive Director in the appropriate form determined by the Executive Director; and
- (b) be accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the training and procedures manual referred to in regulation 141.02.2.

(2) The holder of the approved aviation training certificate must at least 60 days immediately preceding the date on which such certificate expires, apply for the renewal of such certificate.

Duties of holder of certificate

141.02.14 The holder of approved aviation training certificate must:

- (a) keep at least one complete and current copy of its training and procedures manual referred to in regulation 141.02.2 at each training facility specified in the training and procedures manual;
- (b) comply with all procedures detailed in the training and procedures manual;
- (c) make each applicable part of the training and procedures manual available to the personnel who require those parts to perform their functions; and
- (d) continue to comply with the appropriate requirements prescribed in this Part.

Documents and records

141.02.15 (1) The holder of aviation training organisation certificate must:

- (a) retain detailed student records to show that all requirements of all the training presented under the organisation's certificate have been met as approved by the Executive Director; and
- (b) establish procedures to control the documents referred to in paragraph (a).

(2) The holder of the aviation training organisation certificate must establish procedures for control of all documents used by the organisation and must ensure that -

- (a) all documents are reviewed and authorised by the appropriate personnel before the issuing of the aviation training certificate by the Executive Director;

- (b) current issues of all relevant documents are available to those personnel involved in planning, conducting or supervising the specified aviation training undertaken by the holder of the certificate;
 - (c) all obsolete documents are no longer used and are promptly removed from all points; and
 - (d) changes to documents are reviewed and authorised by the appropriate personnel.
- (3) The holder of the aviation training certificate must establish procedures to identify, collect, index, store and maintain all records which may be necessary:
- (a) for the specified aviation training conducted by such holder;
 - (b) to determine compliance with the appropriate requirements prescribed in this Subpart.
- (4) The procedures referred to in subregulation (3) must be designed to ensure that:
- (a) a record is kept of each quality assurance review of the holder of the approved aviation training certificate;
 - (b) a record is kept of each person who conducts the specified aviation training, 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 certificate, including particulars of enrolment, attendance, modules, instructor comments and any flight or similar practical sessions and assessments of each such student;
 - (d) all records are legible; and
 - (e) all records are kept for a period of at least five years calculated from the date of the last entry made in such records.
- (5) The holder of the aviation training organisation certificate must establish and maintain a system for recording the qualifications and training of instructional and examining staff and records retained in terms of this system must be retained for at least five years after the instructor or examiner ceases to perform a function at the training organisation.
- (6) An aviation training organisation conducting training on behalf of a holder of an operations certificate or other similar certificate issued in terms of the Regulations must ensure that all training documents used reflect, and are specific to, the current operating procedures, quality assurance and safety programme of such holder.

Training programmes

141.02.16 (1) The Executive Director may approve a training programme that allows an alternative means of compliance with the experience requirements determined in terms of Parts 61, 63, 64, 65 or 66 of the Regulations: Provided that the approved ATO demonstrates to the satisfaction of the Executive Director that the training provides a level of competency at least equivalent to that provided by the minimum experience requirements.

(2) Based on international best practice or other safety requirements, the Executive Director may in terms of the Regulations or technical standards issue additional requirements for training programmes referred to in subregulation (1) in addition to or higher than those set out in Document NAM-CATS 141 or in the applicable syllabi prescribed in Parts 61, 62, 63, 64, 65 or 66 of the Regulations.

(3) If the Executive Director establishes a criteria or a syllabus with associated requirements for any programme referred to in subregulation (2), the Executive Director may by written notice to the holder of the certificate, and after giving the holder an opportunity to be heard

- (a) revoke the certificate; or
- (b) suspend the certificate for a specified time, until the holder complies with the specified requirements within the time specified in the notice.

Oversight

141.02.17 The Executive Director must maintain an effective oversight of the programme referred to in regulation 141.02.16 to ensure continuing compliance with the requirements of the aviation training organisation certificate.

Evaluation and checking

141.02.18 If the Executive Director authorises an approved ATO to conduct the testing required for the issuing of a licence, approval or rating, the testing must be conducted by personnel authorised by the Executive Director or appointed by the approved ATO and designated by the Executive Director in accordance with the Subpart 32 of Part 61.

SUBPART 3: CERTIFICATION OF ORGANISATION (TEMPORARY AVIATION TRAINING)

Requirements for certificate to conduct temporary aviation training

141.03.1 (1) A person may not conduct temporary aviation training except under the authority of, and in accordance with the provisions of, an aviation training organisation certificate issued under this Subpart.

(2) An applicant for an aviation training organisation certificate to conduct temporary aviation training, must:

- (a) employ or contract adequate personnel to plan, conduct and supervise the temporary aviation training covered by the application;
- (b) ensure that the personnel responsible for conducting the temporary aviation training, have a combination of competence and experience adequate for the level of competence required for such training;
- (c) ensure that the facilities and resources are adequate to enable the personnel to conduct such temporary aviation training; and
- (d) have documented procedures for conducting such temporary aviation training.

Application for certificate to conduct temporary aviation training

141.03.2 An application for the issuing of an aviation training organisation certificate to conduct temporary aviation training must be:

- (a) made to the Executive Director in the appropriate form determined the Executive Director; and
- (b) accompanied by:
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) proof of compliance with the requirements prescribed in regulation 141.03.1.

Issuing of certificate to conduct temporary aviation training

141.03.3 (1) The Executive Director must issue an aviation training organisation certificate to conduct temporary aviation training, if:

- (a) the applicant complies with the requirements prescribed in regulation 141.03.1;
- (b) key personnel prescribed in regulation 141.02.5 is determined to be fit and proper persons; and
- (c) the issue if the certificate is not contrary to the interests of aviation safety.

(2) The Executive Director must issue the aviation training organisation certificate to conduct temporary aviation training on the appropriate form determined by the Executive Director.

Scope of certificate to conduct temporary aviation training

141.03.4 An aviation training organisation certificate to conduct temporary aviation training must specify the temporary aviation training and the conditions subject to which the holder of the certificate is entitled to conduct such training.

Period of validity of certificate to conduct temporary aviation training

141.03.5 (1) An aviation training organisation certificate to conduct temporary aviation training is valid for the period required to conduct the specified temporary aviation training, which period may not exceed 6 months.

(2) The certificate referred to in subregulation (1) remains in force until it expires or is or is suspended or revoked in terms of the Act.

(3) The holder of a certificate to conduct temporary aviation training which expires or which is revoked must immediately surrender the certificate to the Executive Director.

(4) The holder of a certificate referred to in subregulation (1) which is suspended must immediately produce the certificate upon suspension of the certificate to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

Transferability of certificate to conduct temporary aviation training

141.03.6 An aviation training organisation certificate to conduct temporary aviation training is not transferable.

Duties of holder of certificate to conduct temporary aviation training

141.03.7 The holder of an aviation training organisation certificate to conduct temporary aviation training must:

- (a) continue to comply with the appropriate requirements prescribed in this Part;
 - (b) keep documents and records as set out in regulation 141.02.15 and Document NAM-CATS 141.”.
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