

REGULATIONS
Civil Aviation Act 6 of 2016

Namibian Civil Aviation Regulations, 2001

PART 105
RULES OF THE AIR AND GENERAL OPERATING RULES:
OPERATION OF PARACHUTES

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SUBPART 1
GENERAL

Applicability

105.01.1 (1) This Part shall apply to the operation of parachutes.

(2) This Part shall not apply in respect of -

- (a) persons making emergency descents; or
- (b) persons making base jumps.

Persons making parachute descent

105.01.2 Any person making a parachute descent shall -

- (a) be the holder of a valid parachuting licence or certificate, as the case may be, issued by the body or institution designated by the Director in terms of Part 149;
- (b) comply with the privileges and limitations of a parachuting licence or certificate, as the case may be, issued by such designated body or institution;
- (c) comply with the competency requirements prescribed by such designated body or institution for the holder of a parachuting licence or certificate, as the case may be;
- (d) be a *bona fide* member of an aviation recreation organisation approved by the Director in terms of Part 149;
- (e) comply with the standards and procedures determined by such approved aviation recreation organisation.

Problematic use of psychoactive substances or alcohol

105.01.3 No person shall make a parachute descent -

- (a) while under the influence of any psychoactive substance; or alcohol

[The semicolon is misplaced in paragraph (a); it should appear at the end of the phrase.]

- (b) if such person has used any psychoactive substance or alcohol less than eight hours prior to commencing the parachute descent; or
- (c) with a blood alcohol level exceeding 0,04 gram per 100 millilitres.

Securing of articles

105.01.4 No person making a parachute descent shall carry any article which is not part of the parachute assembly or normal apparel of a person making a parachute descent, unless such person secures such article to his or her person.

Hazard

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105.01.5 No person shall make a parachute descent if such parachute descent constitutes, or is likely to constitute, a safety hazard to air traffic, persons or property in the air or on the ground, the aircraft concerned or its occupants.

Parachuting operations

105.01.6 (1) The pilot-in-command of the aircraft engaged in a parachuting operation, shall -

- (a) ensure that -
 - (i) the aircraft performing the operation has a valid appropriate certificate of airworthiness;
 - (ii) the configuration of the aircraft is appropriate for the parachute drop operation;
 - (iii) the aircraft has adequate interior room and satisfactory egress for the parachutists to be carried;
 - (iv) the aircraft cabin has no handles or fittings which could cause the inadvertent opening of a parachute in the aircraft or during egress by any parachutist;
 - (v) suitable strong points on the aircraft are used for the attachment of static lines;
 - (vi) the aircraft flight manual authorises flight with a door open in flight or the aircraft is of a type referred to in regulation 105.01.19, which may be operated with a door removed;
 - (vii) each person carried in the aircraft including the persons who will perform the parachute descent shall;

[The semicolon at the end of the phrase above should be a colon or a dash.]

- (aa) fasten his or her safety belt during take-off and landing;
- (bb) wears an emergency or reserve parachute;
- (cc) be trained in the use of the emergency or reserve parachute; and
- (dd) be briefed on the general procedures to be followed in an aircraft emergency, including the method to be used for exiting the aircraft; and
- (viii) each person carried in the aircraft for the purpose of making a parachute descent -
 - (aa) is not in a position in the aircraft that could hazard the safety of the aircraft or its occupants through inadvertent interference with the controls; and
 - (bb) is briefed on the general procedures to be followed in an aircraft emergency, including the method to be used for exiting the aircraft;

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- (b) not permit a person to make a parachute descent from the aircraft, unless the person or persons making the descent have -
 - (i) provided the pilot with the details of the proposed descent prior to take-off; and
 - (ii) satisfied the pilot that each person is operating under the authorisation of an aviation recreation organisation approved by the Director in terms of Part 149; and
- (c) give an instruction to proceed with the parachute descent, after approval has been received from the appropriate air traffic service unit or when the aircraft is positioned correctly.

(2) Each person making a parachute descent shall only exit from the aircraft and commence the parachute descent on instruction of the jump master.

(3) For the purposes of this regulation, “jump master” means the holder of a licence or certificate and rating issued by the body or organisation designated by the Director in terms of Part 149, who is capable of supervising novices in the aircraft and supervising novices and students on static line and free fall parachute descents.

Minimum parachute opening altitude

105.01.7 Each person making a parachute descent shall activate the main parachute at not less than 2 000 feet AGL, except for -

- (a) a student parachutist, who shall activate the main parachute at not less than 3 000 feet AGL;
- (b) a person carrying out a tandem parachute descent, who shall activate the main parachute at not less than 4 000 feet AGL, or a higher altitude if so recommended by the manufacturer; or
- (c) a person making a parachute descent at night, who shall activate the main parachute at not less than 3 500 feet AGL.

Parachute drop zone

105.01.8 (1) All parachute descents, except emergency and display parachute descents, shall be made within a parachute drop zone approved by the Director.

(2) No person may make a parachute descent outside a parachute drop zone, unless such descent is approved by the Director.

Parachute landing area

105.01.9 (1) Each person making a parachute descent shall land on a parachute landing area approved by the Director.

(2) Simultaneous parachute and aircraft movements may be conducted at aerodromes, if the parachute landing area is located clear of -

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- (a) any movement area in use;
 - (b) the strip area of any runway in use;
 - (c) the taxiway minimum separation distances; and
 - (d) the approach and take-off area of any runway in use.
- (3) A person shall not make a parachute descent into water unless -
- (a) the parachute landing area has a clearly defined perimeter; and
 - (b) a motorised rescue tender as required by an aviation recreation organisation approved by the Director in terms of Part 149, is stationed at the parachute landing area to retrieve him or her.

Controlled airspace

105.01.10 No parachute descent shall take place in controlled airspace unless an air traffic control clearance has been granted.

Descent onto an aerodrome where ATS Unit is in operation

105.01.11 No parachute descent shall take place onto an aerodrome where ATS unit is in operation unless, in addition to the approval contemplated in regulation 105.01.8 -

- (a) prior approval has been obtained from the Director and owner or operator of the aerodrome; and
- (b) the person making the parachute descent lands within the parachute landing area.

[The full stop at the end of paragraph (b) should be a semicolon, and the word “and” at the end of paragraph (a) should appear at the end of paragraph (b) instead.]

- (c) prior approval has been obtained from the ATS unit.

Descent onto an aerodrome where no ATS Unit is in operation

105.01.12 No parachute descent shall be made onto an unmanned aerodrome unless -

- (a) prior approval has been obtained from the Director and the owner or operator of that aerodrome;
- (b) collision with other traffic can be avoided;
- (c) other traffic within the parachute descent zone is made aware of the parachute descent; and
- (d) the person making the parachute descent lands within the parachute landing area.

Descent within restricted area

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105.01.13 No parachute descent shall be made within a restricted area unless permitted by virtue of an authorisation contemplated in regulation 91.06.20(1)(b).

Visibility and clearance from cloud

105.01.14 (1) Subject to the provisions of subregulation (2), no person shall make a parachute descent unless the visibility and distance from cloud is greater than the visibility and distance from cloud as prescribed in Document NAM-CATS-OPS 105.

[The verb “is” should be “are” to be grammatically correct.]

(2) A person may descend through cloud in a parachute drop zone at a manned aerodrome, if he or she has an air traffic control clearance in Class C and D airspace.

Descent from unpressurised aircraft

105.01.15 Each person making a parachute descent prior to exiting from an unpressurised aircraft shall -

- (a) if between an altitude of 10 000 feet above MSL and FL150 for longer than 30 minutes, use supplementary oxygen; and
- (b) if above FL150, use supplementary oxygen until immediately prior to exiting the aircraft.

Descent from pressurised aircraft

105.01.16 Each person making a parachute descent from a pressurised aircraft up to FL200, shall use supplementary oxygen during the period from immediately prior to depressurisation above FL150, to immediately prior to exiting the aircraft.

Descent from above FL150

105.01.17 Each person making a parachute descent from above FL150, shall comply with the standards, procedures and training requirements determined by the body or institution designated by the Director in terms of Part 149, for intermediate altitude descents.

Descent from above FL200

105.01.18 (1) Each person making a parachute descent from above FL200, shall, in addition to regulations 105.01.16 and 105.01.17, use individual supplementary oxygen during the dispatch and descent.

(2) No person shall make a parachute descent from above FL200 unless he or she has the prior approval of the body or institution designated by the Director in terms of Part 149.

Aircraft operating and airworthiness requirements

105.01.19 (1) The owner or operator of an aircraft engaged in a parachuting operation, shall, if the aircraft is to be flown with the cabin door removed during the parachuting operation, apply for approval to the Director.

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(2) The Director may grant the approval referred to in subregulation (1), subject to the following conditions:

- (a) The aircraft concerned shall be of the type as prescribed in Document NAM-CATS-OPS 105; and
- (b) installation and removal of equipment shall be done in accordance with the applicable provisions of the regulations in Part 43.

SUBPART 2
PARACHUTE EQUIPMENT

Main parachute

105.02.1 Each person, or tandem pair, making a parachute descent shall be equipped with a main parachute which complies with the requirements prescribed by the body or institution designated by the Director in terms of Part 149.

Reserve parachutes

105.02.2 Each person, or tandem pair, making a parachute descent shall be equipped with a reserve parachute assembly which has been

- (a) approved by the body or institution designated by the Director in terms of Part 149;
- (b) inspected, re-packed and signed-off within the preceding six months by a rigger authorised by such designated body or institution; and
- (c) where necessary, repaired in accordance with -
 - (i) the standards of such designated body or institution; and
 - (ii) the instructions of the manufacturer.

Night descents

105.02.3 Each person making a parachute descent by night shall be equipped with an illuminated altimeter.

Water descents

105.02.4 Each person making a parachute descent into water shall wear a serviceable, self-righting flotation jacket capable of supporting the person and equipment.

Altimeter

105.02.5 (1) Each student parachutist or solo jumper making a free-fall descent of more than 15 seconds, unless the student parachutist or solo jumper is engaged in formation parachuting, and each tandem master, shall -

- (a) be equipped with, and use, a serviceable altimeter of a type suitable for parachuting; and

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- (b) prior to take-off, zero the altimeter to the parachute landing area height.
- (2) In the case of formation parachuting -
 - (a) if the formation consists of less than eight participants, 50 per cent of the participants in such formation; or
 - (b) if the formation consists of eight or more participants, 25 per cent of the participants in such formation,

shall comply with the provisions of subregulation (1).

Automatic activation devices

105.02.6 From 1 January 2002, each student parachutist or tandem master making a parachute descent, and every person making a parachute descent from above FL200, shall, in addition to the provisions of regulation 105.02.2, be equipped with an automatic activation device on the reserve parachute, which has been -

- (a) certified by a rigger as compatible with the reserve parachute assembly, on the parachute assembly packing record;
- (b) calibrated in accordance with the manufacturer's operating instructions;
- (c) set to operate the reserve parachute at a minimum altitude of-
 - (i) in the case of an individual parachute descent, 1 000 feet AGL or such lower altitude as predetermined and set within the automatic activation device by the manufacturer of such device for the category of use; and
 - (ii) in the case of a tandem parachute descent, 2 000 feet AGL or such lower altitude as predetermined and set within the automatic activation device by the manufacturer of such device for use on tandem descents;
- (d) inspected by the rigger in accordance with the manufacturer's instructions; and
- (e) check calibrated within the preceding six months.

Protective headgear

105.02.7 (1) Each person making a parachute descent shall wear protective headgear authorised by the body or institution designated by the Director in terms of Part 149.

(2) Each student parachutist making a parachute descent shall wear serviceable rigid, protective headgear authorised by such designated body or institution.

Parachute descent near water

105.02.8 Each student parachutist making a parachute descent within one nautical mile of a coastline, harbour, lake or major river, and each holder of a parachuting licence or certificate issued by the body or organisation designated by the Director in terms of Part 149, shall, on his

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or her initial parachute descent into water, wear a serviceable, self-righting flotation jacket capable of supporting the person and equipment.

Tandem harness

105.02.9 Each tandem passenger making a tandem descent shall wear a harness which is -

- (a) authorised by the body or institution designated by the Director in terms of Part 149; and
- (b) properly secured to the matching tandem master harness approved by such designated body or institution.

SUBPART 3
PARACHUTE MAINTENANCE

Rigger

105.03.1 Each rigger shall -

- (a) be a current *bona fide* member of an aviation recreation organisation approved by the Director in terms of Part 149;
- (b) be at least 18 years old;
- (c) be the holder of the appropriate rating issued by the body or institution designated by the Director in terms of Part 149;
- (d) comply with the competency requirements determined by such designated body or institution;
- (e) comply with the privileges and limitations of his or her rating; and
- (f) comply with the operational standards and procedures determined by such designated body or institution.

Safety directives

105.03.2 A person shall not make a parachute descent unless the parachute assembly complies with -

- (a) any applicable safety directive issued by the body or institution designated by the Director in terms of Part 149; and
- (b) all mandatory modifications or instructions issued by the manufacturer.

Parachute serviceability

105.03.3 (1) Any person who finds a parachute assembly to be unserviceable or not airworthy, shall have the assembly -

- (a) re-inspected and returned to a serviceable and airworthy state; or

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(b) withdrawn from service.

(2) Each owner of a parachute assembly shall ensure that the parachute assembly is in a serviceable and airworthy condition before use.

Modification and repair

105.03.4 A person shall not make a parachute descent with an emergency or reserve parachute, or harness and container system, which has been modified or repaired, in a manner that may affect the airworthiness of the parachute assembly, unless such emergency or reserve parachute has been re-inspected and re-assessed by a rigger authorised by the body or institution designated by the Director in terms of Part 149.

Parachute assemblies

105.03.5 (1) Subject to the provisions of subregulations (2) and (3), no person shall make a parachute descent unless he or she has checked the state of serviceability of the parachute assembly by -

- (a) reference to the assembly packing record with the equipment;
- (b) a comprehensive external check; and
- (c) checking the correct setting of the applicable equipment.

(2) A student parachutist shall not make a parachute descent unless his or her parachute assembly has been checked in accordance with the provisions of subregulation (1), by a person authorised by the body or institution designated by the Director in terms of Part 149, to supervise the descent.

(3) A tandem passenger shall not make a parachute descent unless the parachute assembly has been checked in accordance with the provisions of subregulation (1), by the tandem master.

Parachute records

105.03.6 (1) Each owner of an emergency or reserve parachute assembly, a student parachutist parachute assembly or a tandem parachute assembly, shall maintain a permanent record of the assembly in -

- (a) a logbook; or
- (b) a separable log page, approved by the body or institution designated by the Director in terms of Part 149.

(2) The owner referred to in subregulation (1) shall make the record available for inspection when required by an authorised officer, inspector or authorised person.