

REGULATIONS
Civil Aviation Act 6 of 2016

Namibian Civil Aviation Regulations, 2001

PART 106
RULES OF THE AIR AND GENERAL OPERATING RULES:
OPERATION OF HANG GLIDERS AND PARAGLIDERS

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SUBPART 1
GENERAL

Applicability

106.01.1 This Part shall apply to the operation of hang gliders and paragliders and contains -

- (a) in addition to the provisions of the regulations in Part 91, the operating and flight rules relating to such operations; and
- (b) the exceptions to the general operating and flight rules prescribed in Part 91.

Pilot qualifications

106.01.2 Any person operating a hang glider shall -

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

SUBPART 2
OPERATING RULES

Airworthiness

106.02.1 No person shall operate a hang glider unless such hang glider and its suspension system -

- (a) comply with the airworthiness requirements determined by the body or institution designated by the Director in terms of Part 149; and
- (b) are in an airworthy condition.

Flight manual

106.02.2 Notwithstanding the provisions of regulation 91.03.2, a person may operate a hang glider without carrying a current approved flight manual.

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Certificate of fitness

106.02.3 Notwithstanding the provisions of regulation 91.03.7, a person may operate a hang glider if the hang glider has a certificate of fitness issued by a person who is authorised by the body or institution designated by the Director in terms of Part 149.

Maintenance and inspection requirements

106.02.4 (1) The pilot of a hang glider shall ensure that the hang glider is in an airworthy condition before the commencement of each flight.

- (2) The owner of the hang glider shall -
 - (a) take such action as is necessary to ensure the continued airworthiness of the hang glider concerned; and
 - (b) maintain the hang glider as may be necessary.

SUBPART 3 **FLIGHT RULES**

Right of way

106.03.1 Notwithstanding the provisions of regulation 91.06.7(5), a pilot of a hang glider overtaking another hang glider soaring on a ridge, shall pass on the ridge side of the overtaken hang glider.

Flight plan

106.03.2 Notwithstanding the provisions of regulation 91.03.4, the pilot of a hang glider may fly under VFR without submitting a flight plan.

Clearance from cloud and maximum altitude

106.03.3 Notwithstanding the provisions of regulation 91.06.21, a pilot may fly a hang glider -

- (a) to 500 feet vertically below cloud up to a maximum altitude of 19 500 feet above MSL in Class G airspace; or

[The word "airspace" is misspelt in the *Government Gazette*, as reproduced above.]

- (b) to 500 feet vertically below cloud up to a maximum altitude of 19 500 feet above MSL in Class E airspace other than transponder-mandatory airspace.

Minimum altitude

106.03.4 The pilot of a hang glider may fly the hang glider below 500 feet AGL, for the purpose of ridge soaring, if such hang glider is flown in a manner that does not endanger persons or property on the ground.

Launch sites

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106.03.5 No pilot of a hang glider shall launch the hang glider from a launch site other than an approved launch site.

Flight criteria

106.03.6 All hang glider operations shall be conducted -

- (a) by day;
- (b) in meteorological conditions equal to, or better than, those prescribed as suitable for VFR flight, unless otherwise approved by the Director; and
- (c) at least 500 feet beneath any ceiling.

SUBPART 4
EQUIPMENT AND INSTRUMENTS

Equipment

106.04.1 Notwithstanding the provisions of the regulations in Subpart 4 of Part 91, a person may operate a hang glider if the hang glider is equipped with the equipment as prescribed in Document NAM-CATS-OPS 106.

Protective headgear

106.04.2 Each pilot and passenger of a hang glider shall wear serviceable rigid protective headgear authorised by the body or institution designated by the Director in terms of Part 149.