

REGULATIONS
Civil Aviation Act 6 of 2016

Namibian Civil Aviation Regulations, 2001

PART 107
RULES OF THE AIR AND GENERAL OPERATING RULES:
OPERATION OF AMATEUR-BUILT AIRCRAFT

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SUBPART 1
GENERAL

Applicability

107.01.1 This Part shall apply to the operation of amateur-built aircraft 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

107.01.2 No person shall act as pilot-in-command of an amateur-built aircraft unless such person -

- (a) is the holder of at least a valid private pilot licence issued in terms of Part 61;
- (b) is the holder of at least a valid Class 2 medical certificate issued in terms of Part 67;
- (c) complies with the privileges and limitations of a private pilot licence;
- (d) complies with the competency requirements prescribed for the holder of a private pilot licence; and
- (e) is a *bona fide* member of an aviation recreation organisation approved by the Director in terms of Part 149.

SUBPART 2
OPERATING RULES

Airworthiness

107.02.1 No person shall operate an amateur-built aircraft unless such amateur-built aircraft -

- (a) has been issued with an appropriate authority to fly.

[The full stop at the end of paragraph (a) should be a semicolon.]

- (b) is in an airworthy condition.

Registration

107.02.2 No person shall operate an amateur-built aircraft unless it is registered and marked in accordance with, and complies with, the provisions of the regulations in Part 47.

Flight manual

107.02.3 Notwithstanding the provisions of regulation 91.03.2, a person may operate an amateur-built aircraft without carrying a current approved flight manual on board.

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Maintenance and inspection requirements

107.02.4 (1) The pilot-in-command of an amateur-built aircraft shall ensure that the amateur-built aircraft is in an airworthy condition before the commencement of each flight.

- (2) The owner of an amateur-built aircraft shall -
- (a) take such action as is necessary to ensure the continued airworthiness of the amateur-built aircraft concerned; and
 - (b) maintain the amateur-built aircraft in accordance with the provisions of the regulations in Part 43.

SUBPART 3
FLIGHT RULES

Hazardous operations

107.03.1 No person shall operate any amateur-built aircraft in a manner that creates, or is likely to create, a hazard to other persons or property.

Practice for and participation in competition and display flying

107.03.2 The pilot-in-command of an amateur-built aircraft may carry out low flying for the purpose of practice for, and participation in, amateur-built aircraft competition and display flying: Provided that such operations are -

- (a) authorised by the body or institution designated by the Director in terms of Part 149;
- (b) carried out in accordance with any conditions imposed by such designated body or institution; and
- (c) carried out not lower than 200 feet above the ground and not over any densely inhabited area of a city, town or settlement.

Flight criteria

107.03.3 All amateur-built aircraft operations shall be conducted -

- (a) by day, unless the amateur-built aircraft is certificated for night flying in terms of Part 21, and the pilot-in-command is the holder of a night rating issued in terms of Part 61;
- (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.