

(2) Records of the modifications and repairs substantiating data, approved design data, supporting compliance with the airworthiness requirements must be retained in accordance with regulation 43.03.3.

SUBPART 11 SAFETY AND QUALITY MANAGEMENT SYSTEMS

Requirements for quality management system

135.11.1 (1) An operator must establish a quality management system that meets the requirements in Document NAM-CATS-OPS 135.

(2) The quality management system must –

- (a) include a quality assurance programme that contains procedures designed to verify that all operations are being conducted in accordance with all applicable requirements, standards and procedures; and
- (b) be described in relevant documentation as provided for in Document NAM-CATS-OPS 135.

(3) An operator must designate a person responsible for the quality management system who meets the qualifications and experience requirements and who will be responsible for the functions as provided for in Document NAM-CATS-OPS 135.

(4) The operator must prepare a quality management manual that meets the requirements in Document NAM-CATS-OPS 135.

(5) Despite subregulation (3), the operator may appoint two quality managers, one for flight operations and one for maintenance but the operator must designate one single quality management unit to ensure that the quality system is applied uniformly throughout the entire operation.

SUBPART 12 SECURITY

Aviation security for domestic and international air transport operations

135.12.1 Despite the security requirements in this Part, an operator, owner or pilot-in-command, as the case may be, must ensure that the security requirements specified in Parts 108 to 114 in respect of all domestic and international air transport operations are complied with.

SUBPART 13 DANGEROUS GOODS

Transportation of dangerous goods

135.13.1 When transporting dangerous goods the operator, owner or pilot-in-command must comply with the requirements of Part 92.”.

Amendment of Part 170 of Regulations

8. Part 170 of the Regulations is amended –

- (a) by the addition after subregulation (2) of regulation 170.02.01 of the following subregulations:

“(3) An ANS provider may deviate from the requirements, procedures or standards provided for under this Part or the relevant ANS Part if an emergency, or any other circumstance, arises that makes the deviation necessary in the interests of aviation safety.

(4) The ANS provider must, as soon as possible, inform the Executive Director of any deviation referred to in subregulation (3) and how long the deviation is likely to last.”;

(b) by –

(i) the substitution for subregulation (1) of regulation 170.02.5 of the following subregulation:

“(1) An ANS provider certificate is valid for a period of five years, from the date of issuance or renewal of such ANS provider certificate.”; and

(ii) the insertion after subregulation (1) of regulation 170.02.5 of the following subregulation:

“(1A) Despite subregulation (1), the Executive Director may issue a certificate valid for a period of less than five years subject to the following criteria:

- (a) the risk profile of the ANS service provider;
- (b) maturity of the Safety and Quality Management Systems of the ANS service provider; and
- (c) any other criteria as may be determined by the Executive Director.; and

(c) by the addition after regulation 170.02.18 of the following regulation:

“Validation of foreign certificate

170.02.19 (1) A person or entity that has been approved or certified as an ANS provider by any other appropriate authority may apply to the Executive Director in the form and manner set out in the relevant ANS Part, for a validation of such certificate.

(2) The application for a validation referred to in subregulation (1) –

(a) must be accompanied by –

- (i) a certified copy of the certificate or approval to which the validation refers;
- (ii) the appropriate fee as provided for in Part 187;
- (iii) the manual of procedure referred to in the relevant ANS Part ; and
- (iv) a certificate or approval that was issued by the appropriate authority which is equal to or above the minimum

standard which may be established from time to time in accordance with ICAO standards and recommended practices.

- (b) may be subjected to the inspection of the air navigation service provider facilities or place of business in Namibia and abroad; and
- (c) must be submitted at least 60 days before the date of the intended provision of the air navigation service.
- (3) A validation certificate or approval issued by the Executive Director –
 - (a) is valid for the period of the certificate referred to in subregulation (2)(a)(iv);
 - (b) may upon application to the Executive Director be renewed for a further period.
- (4) Application for renewal of validation contemplated in subregulation (3)(b) must –
 - (a) be submitted within 30 days before the date of expiry of such certificate or approval; and
 - (b) follow the process as referred to in subregulation (2)(a) and (b).
- (5) The holder of a certificate or approval validated by the Executive Director must comply with the requirements provided for in the relevant ANS Part.”.

Amendment of Part 171 of Regulations

9. Part 171 of the Regulations is amended –

- (a) by the substitution for subregulation (3) of regulation 171.01.1 of the following subregulation:

“ (3) In this Part, aeronautical telecommunication service refers to an air navigation service related to the provision of any of the following:

- (a) radio navigation aids;
- (b) communication procedures including those with procedures for air navigation services (PANS) tatus and administrative provisions ;
- (c) communication systems including digital data communication systems and voice communication systems;
- (d) surveillance and collision avoidance systems;
- (e) aeronautical radio frequency spectrum utilisation;
- (f) communication systems and procedures relating to remotely piloted aircraft systems c2 link;