

REGULATIONS
Civil Aviation Act 6 of 2016
Namibian Civil Aviation Regulations, 2001

ADMINISTRATION

PART 183
ADMINISTRATION: GENERAL

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Powers and duties of Director

183.00.1 Subject to the provisions of the Act -

- (a) the Director shall administer and enforce the Regulations;
- (b) all powers granted to and duties imposed on the Director in terms of the Regulations may be exercised or performed by the Director in person, or by an authorised officer, inspector or authorised person designated by the Director to act for him or her;
- (c) the Director shall sign and issue to each authorised officer, inspector or authorised person a document which shall state the full name of such authorised officer, inspector or authorised person and contain a statement indicating that -
 - (i) such authorised officer, inspector or authorised person has been designated in terms of section 5(2)(a) of the Act; and
 - (ii) such authorised officer, inspector or authorised person is empowered to exercise any power entrusted to him or her in terms of the Regulations.

Transitional provisions

183.00.2 (1) Anything done, or omitted, under, in terms of or by virtue of a provision of a regulation withdrawn by the Regulations, shall, unless the context otherwise indicates, or except where it is clearly inappropriate, be deemed to have been done, or omitted, as the case may be, under, in terms of or by virtue of a corresponding provision of these Regulations: Provided that where an applicable period of validity has on the date of the coming into operation of such corresponding provision not yet expired, such validity shall continue -

- (a) for the remaining unexpired applicable period of validity; or
- (b) or a period of six months after the coming into operation of such corresponding provision,

whichever period is the lesser period.

(2) The provisions of subregulation (1) shall *mutatis mutandis* apply in cases where qualifying periods of time or periods of time for purposes of crediting are involved.

(3) Notwithstanding the provisions of the regulations in Subpart 4 of Part 11, the Director may exempt the holder of any licence, certificate, rating, permit, approval, authorisation or other document issued under, in terms of or by virtue of a provision of a regulation withdrawn by the Regulations, from compliance with any requirement prescribed in these Regulations, if such holder applies for the issuing of a licence, certificate, rating, permit, approval, authorisation or other document in terms of these Regulations.

(4) An exemption referred to in subregulation (3), shall only be granted if the Director is satisfied that -

- (a) the requirement has been substantially complied with and that further compliance is unnecessary; or

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(b) events have occurred which make the requirement unnecessary or inappropriate in the particular case; and

(c) granting the exemption will not jeopardise aviation safety.

(5) Notwithstanding the provisions of the regulations in Subpart 4 of Part 11, the Director may, for a period not exceeding six months after the coming into operation of the Regulations, exempt any person who is affected by a provision of the Regulations, from compliance with such provision.

(6) An exemption referred to in subregulation (5), shall only be granted if the Director is satisfied that granting the exemption -

(a) will not jeopardise aviation safety; and

(b) will facilitate the transition.

Short title

183.00.3 These regulations shall be called the Namibian Civil Aviation Regulations (NAM-CARS) 2001.