

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

PART 43
AIRCRAFT: GENERAL MAINTENANCE RULES

[Part 43 is substituted by GN 236/2020.]

LIST OF REGULATIONS

SUBPART 1: GENERAL

- 43.01.1 Applicability
- 43.01.2 Falsification, reproduction or alteration of maintenance documents
- 43.01.3 Logbooks
- 43.01.4 Preservation of logbooks
- 43.01.5 Entries in logbooks
- 43.01.6 Entries of special significance
- 43.01.7 Maintenance of logbooks
- 43.01.8 Loss of logbooks

[The heading of this regulation in the text of the regulations is “Loss of logbook” (singular).]

SUBPART 2: MAINTENANCE

- 43.02.1 Aircraft maintenance programmes and maintenance schedule
 - 43.02.2 Persons to carry out maintenance
 - 43.02.3 Carrying out of maintenance
 - 43.02.4 Rectification of unsatisfactory items
 - 43.02.5 Overhaul, repair and substitution of major components
 - 43.02.6 Maintenance for IFR operations
 - 43.02.7 Mass and balance
 - 43.02.8 Progressive inspections
 - 43.02.9 Mandatory inspections
 - 43.02.10 Airspeed indicator and Altimeter system tests and inspections
- [The heading of this regulation in the text of the regulations is “Air speed indicator and altimeter system tests and inspections” (with “Air speed” appearing as two words).]
- 43.02.11 ATC transponder tests and inspections
 - 43.02.12 Emergency locator beacon tests and inspections
 - 43.02.13 Inspection requirements
 - 43.02.14 Non-destructive testing
 - 43.02.15 Airworthiness limitations
 - 43.02.16 Modifications to aircraft or equipment
 - 43.02.17 major repairs to aircraft or equipment
 - 43.02.18 Test flights
 - 43.02.19 Temporary and permanent repairs after accidents or incidents
 - 43.02.20 Aircraft compass requirements
 - 43.02.21 Extended diversion time operations
 - 43.02.22 RVSM operations
 - 43.02.23 Aircraft withdrawn from service for storage
 - 43.02.24 Suspected unapproved parts
 - 43.02.25 Maintenance required under Part 145
 - 43.02.26 Radio station tests and inspections

SUBPART 3: RECORDING OF MAINTENANCE

- 43.03.1 Maintenance records

REGULATIONS
Civil Aviation Act 6 of 2016

Namibian Civil Aviation Regulations, 2001

- 43.03.2 Recording of overhaul
- 43.03.3 Recording of modifications and repairs
- 43.03.4 Recording of inspection and certification
- 43.03.5 Annual review of maintenance
- 43.03.6 Installation of new parts
- 43.03.7 Installation of used parts
- 43.03.8 Installation and disposal of life-limited parts

SUBPART 4: CERTIFYING FOR CONFORMITY AFTER MAJOR MODIFICATIONS OR MAJOR REPAIRS

- 43.04.1 Applicability of Subpart
- 43.04.2 Persons to certify conformity
- 43.04.3 Certifying requirements
- 43.04.4 Certification

SUBPART 5: RELEASE TO SERVICE

- 43.05.1 Persons to certify release to service
- 43.05.2 Requirements for certifying release to service
- 43.05.3 Validity of certificate of release to service
- 43.05.4 Certifying after inspection
- 43.05.5 Certifying after maintenance
- 43.05.6 Discrepancies
- 43.05.7 Flight manual data
- 43.05.8 Duplicate inspection of controls
- 43.05.9 Ground running checks: reciprocating engines
- 43.05.10 Ground running checks: turbine engines

[The heading of this regulation in the text of the regulations is "Ground running checks: turbine engine" (singular).]
- 43.05.11 Flight folio completion
- 43.05.12 Engine performance checks

SUBPART 6: MAINTENANCE FOR SPECIAL CATEGORY AIRCRAFT

- 43.06.1 Applicability of Subpart
- 43.06.2 Performance of maintenance
- 43.06.3 Recording of overhaul
- 43.06.4 Maintenance records

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

SUBPART 1
GENERAL

Applicability

43.01.1 (1) This Part applies to -

- (a) the maintenance, and the release to service after maintenance, of -
 - (i) type certificated aircraft registered in Namibia;
 - (ii) aircraft components to be fitted to such aircraft;
 - (iii) instruments and equipment that subject to other applicable regulations, are fitted to such aircraft; and
- (b) the annual review of airworthiness of the aircraft referred to in paragraph (a).

(2) This Part does not apply to any aircraft specified in regulation 24.01.1.

(3) Unless specified otherwise in a technical or operational arrangement, the requirements of subregulations (1) and (2) do not apply to a person performing maintenance on a Namibian registered aircraft or on a component intended to be fitted to a Namibian registered aircraft, if the maintenance is performed -

- (a) in another State that is party to a technical or operational arrangement entered into pursuant to section 4(1)(c) of the Act;
- (b) under the authority of, and in accordance with, a maintenance organisation certificate or approval issued by the State referred to in paragraph (a);
- (c) in accordance with the relevant procedures and authorisations of the maintenance organisation referred to in paragraph (b);
- (d) in accordance with the relevant maintenance standards and procedures of the State referred to in paragraph (a), unless specified otherwise in the technical or operational arrangement; and
- (e) in accordance with any conditions specified in the technical arrangement as mentioned in this subregulation.

Falsification, reproduction or alteration of maintenance documents

43.01.2 A person may not make or cause to be made -

- (a) any fraudulent or false entry in any record which is required to be made, kept or used to show compliance with any requirement prescribed in this Part; or
- (b) any reproduction or alteration for fraudulent purposes, of any record or report made in terms of the provisions of this Part.

Logbooks

REGULATIONS
Civil Aviation Act 6 of 2016

Namibian Civil Aviation Regulations, 2001

43.01.3 (1) Subject to the provisions of subregulation (2), the registered owner or operator of a Namibian registered aircraft or a contracted AMO must keep the following logbooks in respect of the aircraft and other specified equipment for the purpose of recording in that logbook the maintenance history of the equipment to which each relates:

- (a) an approved aircraft logbook for each aircraft;
 - (b) an approved engine logbook for each aircraft engine;
 - (c) an approved propeller logbook for each propeller; and
 - (d) an approved auxiliary power unit (APU) logbook for each APU, if applicable.
- (2) The owner or operator of an aircraft must -
- (a) ensure that logbooks are not kept in the aircraft, except where regulation 43.01.4(3) applies; and
 - (b) keep logbooks, or ensure that logbooks are kept, in a safe place.
- (3) Details in respect of maintenance carried out while away from base must be -
- (a) transferred to the appropriate logbook within 48 hours after the return of the aircraft to its base of operation; or
 - (b) entered within 48 hours of completion of any maintenance performed on the aircraft or other equipment at its base of operation.
- (4) Every logbook that is to be kept and maintained in terms of these regulations must be made available to an authorised officer, inspector or authorised person at all times for inspection.
- (5) For -
- (a) an aircraft with a maximum approved passenger seat configuration in excess of nine seats;
 - (b) an aeroplane with a maximum certificated mass in excess of 5 700 kilogrammes; or
 - (c) a helicopter with a maximum certificated mass in excess of 3 175 kilogrammes,

the logbook may refer to a separate system approved in its approved maintenance programme, including the maintenance schedule for component and major repair tracking, except that any entry in such system must meet the requirements as prescribed for logbooks.

- (6) The format of the logbooks must be as set out in Document NAM-CATS-GMR.

Preservation of logbooks

43.01.4 (1) The owner or operator of an aircraft or a contracted AMO must preserve the logbooks required to be kept in accordance with regulation 43.01.3(1) for a period of not less than six months from the date of destruction of the airframe, engine or propeller for which they

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

were kept, but the Executive Director may specify a longer period in respect of the logbook of an aircraft or of its engine or propeller of an aircraft involved in an accident or incident.

- (2) A logbook must, preferably, not be carried in the aircraft to which it relates.
- (3) In the case where -
 - (a) the provisions of subregulation (4) apply; or
 - (b) a logbook is needed for maintenance purposes and no other means of forwarding that logbook is reasonably available,

the logbook may be carried in the relevant aircraft.

(4) When an aircraft is exported and the logbook is transported with the aircraft, the exporter or the responsible aviation maintenance organisation, as the case may be, must retain -

- (a) a copy of the last major overhaul and repairs performed; and
- (b) copies of the defects rectification for the last six months prior to export.

Entries in logbooks

43.01.5 (1) The following persons must make and sign for entries in logbooks required to be kept in accordance with regulation 43.01.3(1) -

- (a) the holder of an appropriately rated aircraft maintenance engineer licence;
- (b) a person holding a valid authorisation given by an organisation holding an AMO approval; or
- (c) a person approved for the purpose by the Executive Director.

(2) The pilot-in-command of an aircraft must enter into the logbook and sign for any matters that could not have come to the notice of the persons referred to in subregulation (1).

(3) Any person having possession of, custody of, or control over, any record kept for the purpose of compiling a logbook entry or where reference is made to a record system, other than the logbook, must produce the record when called upon to do so in the event of any inspection or investigation by an authorised officer, inspector or authorised person.

(4) Entries in logbooks must contain all the information and particulars provided for in the logbook.

(5) If a correction is made to entries in a logbook, the correction must be made in such a way that the original entry still remains legible.

(6) The use of a correction method or any other method which could obscure the original entry is prohibited.

Entries of special significance

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

43.01.6 When repairs to an aircraft, aircraft engine or component or fixed or removable equipment were required in consequence either of -

- (a) damage caused by a forced or hard landing; or
- (b) defects that occasioned a forced or hard landing,

the entry or entries made in the relevant logbook or logbooks in respect of such repairs must state that they were so required and must identify the forced or hard landing in question.

Maintenance of logbooks

43.01.7 The owner or operator of an aircraft or a contracted AMO must keep up to date and maintain in a legible and permanent manner and in accordance with the -

- (a) "Instructions for use" in the logbook; and
- (b) standards set out in Document NAM-CATS-GMR,

the logbooks referred to in regulation 43.01.3(1).

Loss of logbook

[The heading of this regulation in the LIST OF REGULATIONS is "Loss of logbooks" (plural).]

43.01.8 (1) If a logbook that is currently in use for an aircraft is lost, the registered owner of the aircraft must -

- (a) forthwith report the loss to the Executive Director; and
- (b) make a written request to the Executive Director to open a substitute logbook and the request must be accompanied by an affidavit which includes -
 - (i) information on the last available logbook entries as signed by -
 - (aa) the holder of an appropriately rated aircraft maintenance engineer licence;
 - (bb) a person holding a valid authorisation given by an organisation holding an AMO approval; or

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

- (cc) a person approved for the purpose by the Executive Director;
- (ii) details of the circumstances of the loss; and
- (iii) the appropriate data for the purpose of reconstructing the logbook.

(2) If the Executive Director approves the opening of a substitute logbook, the relevant authorisation must be made a permanent part of that logbook.

REGULATIONS
Civil Aviation Act 6 of 2016

Namibian Civil Aviation Regulations, 2001

(3) The procedure to be followed for the opening of a substitute logbook is set out in NAM-CATS-GMR.

(4) If a logbook has been lost, the relevant certificate of airworthiness or authority to fly relating to the aircraft is considered invalid until such time that all the requirements for the opening of a substitute logbook have been met.

SUBPART 2
MAINTENANCE

Aircraft maintenance programmes and maintenance schedule

43.02.1 (1) Every type certificated aircraft registered on the aircraft register must be maintained according to an approved aircraft maintenance programme, including the maintenance schedule referred to in subregulation (4).

(2) The owner or operator of an aircraft or a contracted AMO must draw up or cause to be drawn up a maintenance programme, including the maintenance schedule, for his or her or its aircraft in accordance with the standards set out in Document NAM-CATS-GMR.

(3) The owner, operator or contracted AMO must submit the proposed maintenance programme, including the maintenance schedule, to the Executive Director for approval.

(4) The Executive Director must, if the proposed maintenance programme, including the maintenance schedule submitted in terms of subregulation (3) meets all the requirements of the standards referred to in subregulation (2), approve the proposed aircraft maintenance programme, including the maintenance schedule, either as submitted or as amended by him or her in the interest of aviation safety.

(5) The owner, operator or contracted AMO referred to in subregulation (2) may request the Executive Director for a permanent or temporary amendment to the approved aircraft maintenance programme.

(6) The owner, operator or contracted AMO referred to in subregulation (2) must promptly furnish copies of all approved amendments to the maintenance programme to all organisations or persons to whom the maintenance programme has been issued.

Persons to carry out maintenance

43.02.2 (1) Subject to the provisions of subregulations (2) and (3), a person may not carry out maintenance on a type certificated aircraft or a component of such aircraft unless that person-

- (a) is the holder of a current aircraft maintenance engineer licence;
- (b) carries out maintenance under the direct supervision of the holder of an aircraft maintenance engineer licence with an appropriate rating;
- (c) is authorised by the holder of an aircraft maintenance organisation approval with an appropriate rating, to carry out maintenance within the scope of such approval; or

REGULATIONS
Civil Aviation Act 6 of 2016

Namibian Civil Aviation Regulations, 2001

- (d) for maintenance performed outside of Namibia, holds an appropriate current maintenance engineer licence or approval issued under the authority of an ICAO contracting State for the type of aircraft or component.

(2) The holder of a current pilot licence with an appropriate type rating for the aircraft issued in terms of Part 61 or Part 62 may carry out the maintenance as set in Document NAM-CATS-GMR if -

- (a) such holder is the owner or operator of the aircraft and is appropriately trained; and
- (b) the aircraft is used for non-commercial operations.

(3) The holder of a current pilot licence with an appropriate type rating for the aircraft issued in terms of Part 61 or Part 62 may carry out the maintenance as set in Document NAM-CATS-GMR if the holder -

- (a) is authorised by a gliding organisation to perform maintenance on a glider or glider component; or
- (b) performs the maintenance under the direct supervision of a person who is authorised by a gliding organisation to perform maintenance on a glider or glider component.

(4) The routine maintenance, programmed inspections, structural integrity inspections, overhaul, modification, major repairs and structural repairs on -

- (a) aeroplanes with a maximum certificated mass in excess of 5 700 kilogrammes; or
- (b) helicopters with a maximum certificated mass in excess of 3 175 kilogrammes,

must be undertaken and certified by an appropriately rated approved aircraft maintenance organisation only.

(5) The routine maintenance, programmed inspections, structural integrity inspections, overhaul, modification, major repairs and structural repairs on an aircraft operating under Part 101 must be undertaken and certified by a person authorised by the Executive Director.

Carrying out of maintenance

43.02.3 (1) Any person who carries out maintenance on an aircraft or aircraft component must -

- (a) have available adequate accommodation and facilities for the necessary disassembly, proper inspection and re-assembly of the aircraft or aircraft component and be familiar with the maintenance actions required for the continued airworthiness of the aircraft or component;
- (b) use methods, techniques and practices which are -
 - (i) specified in the current manufacturer's maintenance manual or in any instructions for safe operation and continued airworthiness issued for the aircraft or component;

REGULATIONS
Civil Aviation Act 6 of 2016

Namibian Civil Aviation Regulations, 2001

- (ii) in accordance with the approved maintenance programme, including the maintenance schedule for the aircraft;
- (iii) in accordance with Document NAM-CATS-GMR; or
- (iv) equivalent to the methods, techniques, and practices that are approved by the State of Design and acceptable to the Executive Director;
- (c) use the tools, equipment and test apparatus necessary to ensure that the maintenance is carried out in accordance with the appropriate manufacturer's requirements or standard practices approved by the Executive Director;
- (d) use the tools, equipment and test equipment necessary to ensure completion of the work in accordance with paragraph (b);
- (e) use the test equipment recommended by the manufacturer or equivalent test equipment that provides the same capability for the person conducting the test to ensure that the component being tested is in an airworthy condition;
- (f) if specified in the maintenance procedures, use the special test equipment recommended by the manufacturer or equivalent test equipment that is acceptable to the Executive Director;
- (g) perform the maintenance so as to ensure that the aircraft or component meets every applicable airworthiness requirement;
- (h) on completion of the maintenance, ensure that the condition of the aircraft or aircraft component is satisfactory for release to service and is at least equal to its original or properly modified condition with regard to -
 - (i) aerodynamic function;
 - (ii) structural strength;
 - (iii) resistance to vibration and deterioration; and
 - (iv) other qualities affecting airworthiness; and
- (i) on completion of the maintenance, ensure that the aircraft or component complies with the applicable certification requirements for aircraft noise and engine emission.

(2) A person who carries out maintenance on an aircraft or aircraft component may not perform the maintenance unless he or she has been relieved from the performance of maintenance on an aircraft or aircraft component for -

- (a) a period of at least eight consecutive hours in the 24-hour period immediately before the maintenance is performed; and
- (b) at least 24 consecutive hours during any seven consecutive days' period.

REGULATIONS
Civil Aviation Act 6 of 2016

Namibian Civil Aviation Regulations, 2001

(3) Despite subregulation (2), a person who carries out maintenance on an aircraft or aircraft component may in situations involving unscheduled aircraft unserviceability, perform maintenance functions for aircraft continue to be on duty for -

- (a) up to 16 consecutive hours; or
- (b) 20 hours in 24 consecutive hours,

but must have a mandatory rest period of 10 hours following the unscheduled duty periods.

(4) If maintenance is carried out on an aircraft operated under an operating certificate, the person who carries out maintenance on the aircraft or aircraft component must carry out such maintenance in accordance with the operator's approved maintenance control manual whose format and requirements must be as set out in Document NAM-CATS-GMR.

(5) For an aircraft on lease, the operator of the aircraft must provide, for the use and guidance of maintenance and operational personnel concerned, a maintenance control manual acceptable to the Executive Director.

(6) For an aircraft on lease, the operator must provide the Executive Director with a copy of the operator's maintenance control manual, together with all amendments or revisions to it and must incorporate in it such mandatory material as the Executive Director may require.

Rectification of unsatisfactory items

43.02.4 (1) If during any maintenance or at any other time any part, product, component, equipment or item is -

- (a) found to be unserviceable; or
- (b) unlikely to remain serviceable under normal operating conditions during the period preceding the next inspection,

the person who is carrying out the maintenance on an aircraft or aircraft component, equipment or item must take such rectification action as considered necessary to ensure the continued serviceability of the part, component or item or its replacement with a serviceable part, component or item prior to releasing the aircraft to service.

(2) The person who is carrying out the maintenance on an aircraft or aircraft component, equipment or item must -

- (a) transfer any deferred defects from the flight folio onto a work sheet; and
- (b) ensure that any maintenance carried out to restore the serviceability of any part, component, equipment or item is -
 - (i) clearly recorded in the relevant logbook or other approved recording system; and
 - (ii) certified by an appropriately rated licence holder or an AMO approval holder prior to releasing the aircraft to service.

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

(3) The person who certifies an entry as required by subregulation (2)(b)(ii) must further certify in the relevant flight folio that the deferred defect has been rectified, and he or she must date and sign the entry accordingly.

Overhaul, repair and substitution of major components

43.02.5 (1) The owner or operator of an aircraft or a contracted AMO must ensure that the aircraft and its components and installed equipment are overhauled or substituted at such times as recommended or specified by the manufacturer of the aircraft, unless the Executive Director has in writing approved different times for the overhaul or substitution to be carried out.

(2) The owner or operator of an aircraft or a contracted AMO must ensure that the overhaul of a Class I or Class II product and repairs to the primary structure of an aircraft, its engine or propeller is undertaken by an appropriately rated approved aircraft maintenance organisation only.

(3) The procedure for reinstating the validity of a certificate of airworthiness deemed suspended when an aircraft is involved in an accident or incident that renders one or more Class I products defective is set out in Document NAM-CATS-GMR.

(4) The requirements for the overhaul of components and equipment installed on an aircraft and of engines and propellers are as set out in Document NAM-CATS-GMR.

(5) Where the Executive Director has approved a time between overhaul that differs from that recommended or specified by the manufacturer, that time between overhaul must be as specified in the aircraft's approved maintenance programme.

(6) Where a manufacturer has not recommended or specified the overhaul of an item at certain times but the Executive Director considers its overhaul at certain intervals necessary in the interest of safety, the Executive Director may in writing specify a time between overhaul for such item in the aircraft's approved maintenance programme.

(7) The requirements for the substitution of products, components and parts with new or overhauled items are as set out in Document NAM-CATS-GMR.

Maintenance for IFR operations

43.02.6 Any person who carries out an inspection or maintenance on equipment required for communication navigation and surveillance in an aircraft to be used under IFR must carry out the inspection as set out in Document NAM-CATS-GMR.

Mass and balance

43.02.7 (1) Except with the written permission of the Executive Director, a person may not operate any Namibian registered aircraft unless the aircraft's -

- (a) current empty mass has been established by means of a mass meter;
- (b) centre of gravity has been computed,

within the preceding five years as specified in Document NAM-CATS-GMR.

REGULATIONS
Civil Aviation Act 6 of 2016

Namibian Civil Aviation Regulations, 2001

(2) Whenever alterations are made which could influence an aircraft's empty mass or its centre of gravity, the mass and balance data must be altered accordingly.

(3) An aircraft's empty mass must be established by means of -

- (a) computation; or
- (b) a mass meter by an appropriately approved aircraft maintenance organisation or a person acceptable to the Executive Director for that purpose,

after which the aircraft's new centre of gravity must be computed.

(4) The mass meter to be used under subregulation (3) must have been tested by the Namibian Standards Institution established by the Standards Act, 2005 (Act No. 18 of 2005) or a similar body acceptable to the Executive Director, 12 months before the date of determination of the aircraft's empty mass.

(5) The mass and centre of gravity data, as supplied by the manufacturer in respect of new aircraft, is acceptable for the purpose of this regulation for the first five-year period, provided that the empty mass was established by means of a mass meter.

(6) For the purpose of this regulation, the empty mass of an aircraft, as ascertained when the mass was last determined or computed, is the mass of the aircraft and its powerplant, including any engine coolant, unusable fuel, total oil, total hydraulic fluid, any fixed ballast and all items of fixed equipment.

(7) Despite the provisions of this regulation, the Executive Director may at any time when he or she considers it necessary in the interest of public safety, require the mass of any aircraft to be established by means of a mass meter or its centre of gravity to be computed.

(8) The procedure to establish mass and the form on which the results of balance computations must be recorded is as set out in the Document NAM-CATS-GMR.

Progressive inspections

43.02.8 (1) Any person who carries out a progressive inspection in accordance with a progressive inspection programme must -

- (a) at the start of the progressive inspection cycle, inspect the aircraft completely; and
- (b) after the initial inspection, conduct routine inspections and detailed inspections in accordance with the progressive inspection programme.

(2) Any person who wishes to design a new progressive inspection programme to reflect the maintenance tasks and frequencies which have been specified as mandatory by the State of Design must only do so with the prior approval of the Executive Director.

Mandatory inspections

43.02.9 (1) A mandatory test and a mandatory inspection must be carried out in accordance with the approved maintenance programme for a particular aircraft at the times or intervals set out in Document NAM-CATS-GMR.

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

(2) A mandatory inspection includes -

(a) for -

- (i) an aeroplane with a maximum certificated mass of 5 700 kilogrammes or less or a maximum approved passenger seating configuration of not more than nine seats; and
- (ii) a helicopter with a maximum certificated mass of 3 175 kilogrammes or a maximum approved passenger seating configuration of not more than nine seats,

either -

- (aa) a mandatory periodic inspection; or
 - (bb) inspections in accordance with an approved progressive inspection programme;
- (b) for any aircraft, other than those referred to in paragraph (a), the approved maintenance programme, including the maintenance schedule for the particular category and type of aircraft at the intervals specified by the programme.

(3) An aircraft referred to in subregulation (2)(a) that has not accumulated 100 hours within 12 months since its last inspection must undergo a mandatory periodic inspection before it is released to service.

(4) An aircraft referred to in subregulation (2)(b) that has not completed its progressive inspection programme within the period specified by the manufacturer or the Executive Director must undergo the remainder of the progressive inspection programme before it is released to service.

(5) The maintenance programmes referred to in subregulation (1) are as set out in Document NAM-CATS-GMR.

Air speed indicator and Altimeter system tests and inspections

[The heading of this regulation in the LIST OF REGULATIONS is “Airspeed indicator and altimeter system tests and inspections” (with “Airspeed” appearing as one word).]

43.02.10 Any person who carries out air speed indicator and altimeter system tests and inspections must -

- (a) perform the tests and inspections as set out in Document NAM-CATS-GMR; and
- (b) for the altimeter tests, record on the altimeter case, the date on which and maximum altitude to which the altimeter has been tested.

ATC transponder tests and inspections

43.02.11 Any person who carries out air traffic control (ATC) transponder tests and inspections must perform the tests and inspections as set out in Document NAM-CATS-GMR.

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

Emergency locator beacon tests and inspections

43.02.12 Any person who carries out emergency locator beacon tests and inspections must perform the tests and inspections as set out in Document NAM-CATS-GMR.

Inspection requirements

43.02.13 (1) Any person who carries out an inspection must -

- (a) carry out the inspection so as to determine that the aircraft or aircraft component under inspection complies with all appropriate airworthiness requirements prescribed in Part 21; and
- (b) if carrying out a mandatory periodic inspection, progressive inspection or scheduled inspection, use a checklist, which includes the scope and detail of the tests and inspections, referred to in regulation 43.02.9.

(2) Any person performing an inspection required on a rotorcraft must inspect the following systems in accordance with the maintenance manual or instructions for continued airworthiness of the manufacturer concerned:

- (a) the drive shafts or similar systems;
- (b) the main rotor transmission gear box for obvious defects;
- (c) the main rotor and centre section (or the equivalent area); and
- (d) the tail rotor of the helicopter.

Non-destructive testing

43.02.14 Any person performing maintenance on an aircraft or aircraft component where the applicable maintenance data requires a non-destructive test using fluorescent penetrant, magnetic particle, eddy current, ultrasonic or radiography methods must -

- (a) be the holder of a certificate appropriate to the technique being used and to the level of qualification required as specified in Document NAM-CATS-GMR or an equivalent certificate approved by the Executive Director;
- (b) perform the non-destructive test using appropriate methods, techniques and standard practices as specified in Document NAM-CATS-GMR; and
- (c) use test equipment necessary to ensure that the non-destructive test is performed in accordance with the appropriate manufacturer's requirements.

Airworthiness limitations

43.02.15 Any person who carries out maintenance specified in the airworthiness Limitations section, if applicable, of a manufacturer's maintenance manual or any instructions for safe operation and continued airworthiness must carry out the maintenance in accordance with that section.

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

Modifications to aircraft or equipment

43.02.16 (1) A person may not, without the prior written approval of the Executive Director, carry out any modifications to a type certificated aircraft, including changes to equipment or the installation of the equipment, which affect or are likely to affect the -

- (a) serviceability of the aircraft; or
- (b) safety of its occupants or of any other persons or property,

other than in compliance with the provisions of this Part.

(2) The owner of the aircraft or any other person who requires the written approval of the Executive Director for a modification as contemplated in subregulation (1) must apply for such approval to the Executive Director.

(3) An application under subregulation (2) must be -

- (a) made in the appropriate form set out in Document NAM-CATS-GMR; and
- (b) accompanied by -
 - (i) such information, acceptable technical data, calculations, reports on tests, drawings or wiring diagrams relating to the design, and proof of effectiveness or airworthiness of such modification as the Executive Director may require;
 - (ii) such other information and details as may be required by the standards set out in Document NAM-CATS-GMR; and
 - (iii) payment or proof of payment of the appropriate fee as prescribed in Part 187.

(4) An applicant referred to in subregulation (1) must ensure that every modification and repair to an aircraft conforms to a design change approved in accordance with acceptable technical data set out in Document NAM-CATS-GMR for the aircraft type.

(5) Where the manufacturer of the type of aircraft or equipment concerned recommends that modifications be made to the aircraft or equipment, the modifications may be carried out in accordance with the manufacturer's recommendations, so long as the proposed modifications are submitted to, and approved by, the Executive Director prior to the commencement of such modifications.

(6) An unapproved modification to an aircraft or its equipment renders a certificate of airworthiness for that aircraft invalid.

Major repairs to aircraft or equipment

43.02.17 (1) A person may not, without the prior written approval of the Executive Director, carry out any major repairs, as defined in Document NAM-CATS-GMR, to a type certificated aircraft which affect or are likely to affect the -

- (a) serviceability of the aircraft; or

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

- (b) safety of its occupants or of any other persons or property.

(2) The owner of the aircraft or any other person who requires the written approval of the Executive Director for a major repair as contemplated in subregulation (1) must apply for such approval to the Executive Director.

- (3) An application under subregulation (2) must be -

- (a) made in the appropriate form set out in Document NAM-CATS-GMR; and

- (b) accompanied by -

- (i) such information, acceptable technical data, the documents encompassing the Instructions for Continuing Airworthiness (ICA) such as, but not limited to, maintenance manuals, servicing instructions, overhaul manuals, and repair manuals containing adequate maintenance procedures that are recognised by the Executive Director as either approved or acceptable for purposes of accomplishing repairs to aircraft;

[There is a structural problem with the wording of this subparagraph;
it is not clear what was intended.]

- (ii) a structural repair manual containing State of Design approved repair schemes for typical damages or structural failures that can be readily applied by an operator without the need for obtaining prior approval of the Executive Director;

- (iii) the make and model of the affected aeronautical product, including the registration or serial number, and its type certificate number (or approval reference);

- (iv) the title, detailed description and purpose of the repair design;

- (v) the proposed airworthiness standards to which the proposed repair is intended to show compliance with, including the identification of any impact on approved airworthiness limitations contained in the ICA for the affected aeronautical product;

[The word “to” after the phrase “airworthiness standards” is superfluous.]

- (vi) documentation or substantiating data of the repair design;

- (vii) for a foreign applicant, evidence of prior approval by the State that has jurisdiction over the individual or organisation responsible for the repair design;

- (viii) such other information and details as may be required by the standards set out in Document NAM-CATS-GMR; and

- (ix) payment or proof of payment of the appropriate fee as prescribed in Part 187.

(4) Where the repair action specifically requires designing a repair scheme, the repair design must be approved by the Executive Director.

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

(5) All changes to life-limited components limits must be incorporated in the maintenance programme following the design repair approval.

(6) An unapproved major repair design to an aircraft or its equipment renders a certificate of airworthiness for that aircraft invalid.

Test flights

43.02.18 (1) After any major repair or major modification to an aircraft test flights, if required by the Executive Director, must be carried out in the aircraft under such conditions and in the manner set out in Document NAM-CATS-GMR.

(2) No person, other than essential crew members, including those persons assigned to carry out in-flight inspections, may be carried on board an aircraft undergoing a test flight.

Temporary and permanent repairs after accidents or incidents

43.02.19 (1) Any repair to an aircraft or aircraft component which has been damaged after an accident or an incident must be carried out in accordance with the requirements set out in Document NAM-CATS-GMR.

(2) Where an aircraft that has been involved in an accident that causes the damage contemplated in paragraph (b) of the of the definition of “accident” contained in section 1 of the Act has undergone permanent repairs, that aircraft must be inspected by -

[The phrase “of the” is repeated before the phrase “definition of ‘accident’”.]

- (a) an authorised officer, inspector or authorised person; or
- (b) another person specifically appointed for the purpose in writing by the Executive Director,

before it is released to service.

(3) The maintenance organisation or repair facility that carried out the repair as contemplated in this regulation must pay the applicable inspection fees as prescribed in Part 187.

Aircraft compass requirements

43.02.20 Any compass fitted to an aircraft must be swung and maintained in accordance with the requirements set out in Document NAM-CATS-GMR.

Extended diversion time operations

43.02.21 The additional maintenance requirements for twin-engine turbine aeroplanes certified for extended-diversion time operations (EDTO) are set out in Document NAM-CATS-GMR.

RVSM operations

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

43.02.22 The additional maintenance requirements for aircraft holding a reduced vertical separation minima (RVSM) approval certificate issued under regulation 21.08.14 must be as set out in Document NAM-CATS-GMR.

Aircraft withdrawn from service for storage

43.02.23 (1) An aircraft withdrawn from service for storage must meet the preservation instructions of the aircraft's manufacturer as specified in the relevant maintenance manuals, service bulletins, service letters or service instructions for the inoperative period.

(2) Before an aircraft referred to in subregulation (1) is returned to service, any maintenance required to be carried out in terms of the original equipment manufacturer manuals must be carried out prior to release to service.

Suspected unapproved parts

43.02.24 A person carrying out maintenance or repairs on an aircraft in terms of this Part must consider any Class I, Class II or Class III part, component or product, whether new or previously used, for which -

- (a) no historical records are available or traceable; or
- (b) the available records do not confirm that it has been approved by a responsible aviation authority,

to be unserviceable and may not fit the part, component or product on any type-certificated aircraft.

Maintenance required under Part 145

43.02.25 (1) A person may not, except under the authority of a maintenance organisation approval certificate issued under Part 145, perform maintenance on, or certify for release to service -

- (a) an aircraft that has a MCTOW of more than 5 700 kilogrammes, or in the case of an aircraft operated in terms of Part 135, of less than 5 700 kilogrammes, if the aircraft is used or is to be used to perform air operations under the authority of an air operator certificate issued by the Executive Director under Part 121, 127 or 135; or
- (b) a component fitted or intended to be fitted to an aircraft referred to in paragraph (a).

(2) Except as provided in subregulation (3), a person may not (except under the authority of a maintenance organisation approval certificate issued under Part 145) perform any of the following kinds of maintenance on an aircraft or aircraft component or certify the aircraft or component for release to service after the maintenance:

- (a) overhaul of a component;
- (b) maintenance on an aircraft or aircraft component, if the relevant instructions for continued airworthiness require the use of a jig that is approved or certified by the manufacturer or that is approved by the Executive Director;

REGULATIONS
Civil Aviation Act 6 of 2016

Namibian Civil Aviation Regulations, 2001

- (c) maintenance on an aircraft component, if the maintenance involves the disturbance of any part of the component that is supplied as a bench tested unit, except if -
 - (i) the disturbance is for the replacement or adjustment of a part normally replaceable or adjustable in service; and
 - (ii) subsequent functioning of the part disturbed can be demonstrated without the use of test apparatus that is additional to the test apparatus used for normal functioning checks;
- (d) maintenance on an aircraft engine, if the maintenance involves -
 - (i) dismantling and reassembly of a piston engine, except where the dismantling and reassembly is to obtain access to the piston or cylinder assembly for the replacement of a main casing or rotating assembly; or
 - (ii) dismantling and reassembly of a main casing or main rotating assembly of a turbine engine, except where the dismantling and reassembly is for the replacement of a main casing or rotating assembly and the -
 - (aa) instructions for continued airworthiness for the engine provides instructions for the replacement; and

[The verb “provides” should be “provide” to be grammatically correct.]

 - (bb) replacement of the main casing or rotating assembly of the engine is achieved solely by disconnecting the flanges of main casings; or
 - (iii) disturbance of reduction gear;
- (e) aircraft propeller balancing other than *in situ* dynamic propeller balancing in accordance with the aircraft manufacturer’s instructions; and
- (f) maintenance on a helicopter, if the maintenance involves the dismantling of any transmission gearbox, except where the dismantling is for separation of casings to obtain access for the purpose of internal inspection in accordance with the helicopter manufacturer’s instructions.
- (3) Subregulation (2) does not apply to -
 - (a) an aircraft that has a special category airworthiness certificate issued by the Executive Director under Part 21;
 - (b) a microlight aircraft;
 - (c) a glider or powered glider;
 - (d) a free manned hot air balloon;
 - (e) remotely piloted aircraft; and
 - (f) any aircraft specified in regulation 24.01.1

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

Radio station tests and inspections

43.02.26 Any person who carries out an inspection of an aircraft radio station must perform the tests and inspections as set out in Document NAM-CATS-GMR.

SUBPART 3
RECORDING OF MAINTENANCE

Maintenance records

43.03.1 (1) Any person who carries out maintenance on an aircraft or aircraft component must, on completion of the maintenance, record -

- (a) details of the maintenance including, where applicable, the type of inspection and any approved technical data used;
- (b) for a mandatory periodic, progressive or scheduled inspection, whether a detailed inspection or routine inspection of the particular components or areas of the aircraft was carried out;
- (c) the serial numbers, if any, of components removed or fitted;
- (d) details of measurements or test results obtained, including the results of any ground or air tests;
- (e) for an air speed indicator or altimeter system pilot static test and inspection, the date on which, and maximum altitude to which the altimeter has been tested;
- (f) the date of completion of such maintenance;
- (g) the references to the documents used to carry out the maintenance and their revision status;
- (h) the name of the person completing such maintenance, if different from the person certifying the release to service;
- (i) the location and, if applicable, the name of the facility where such maintenance was carried out;
- (j) where such maintenance has been carried out as a consequence of the failure of any equipment or damage caused by forced landing or accident, the reasons for carrying out the maintenance;
- (k) the references to the applicable release documentation;
- (l) the requirement for an operational flight check, if the maintenance requires a flight check under regulation 43.05 2(1)(d).
- (2) The person who carries out the maintenance must -
 - (a) record the details referred to in subregulation (1) in the appropriate logbook or in a maintenance record approved by the Executive Director;

REGULATIONS
Civil Aviation Act 6 of 2016

Namibian Civil Aviation Regulations, 2001

- (b) record the details legibly and in ink or other permanent material; and
- (c) where worksheets or other associated maintenance records are used to document the details of the maintenance, make a reference to those records in the logbook, flight folio or in the maintenance record approved by the Executive Director.

[The word “in” before the phrase “the maintenance record” is superfluous.]

(3) The manner for completion of logbooks, flight folios and maintenance records referred to in subregulation (2), and the contents of the records and the period for which such documents must be retained are as set out in Document NAM-CATS-GMR.

Recording of overhaul

43.03.2 A person may not state in any maintenance document entry required by these regulations, including a job card, logbook or a certificate of release to service, that an aircraft, airframe, engine or engine module, propeller, rotor, appliance **or** other aircraft component has been overhauled unless it has been -

- (a) disassembled, cleaned, inspected, repaired as necessary and reassembled using methods, techniques and practices acceptable to the Executive Director; and
- (b) tested to the original tolerances and limits or to approved oversize or undersize dimensions in accordance with -
 - (i) current approved standards and technical data that have been developed and documented by the holder of a type certificate or supplemental type certificate issued in terms of Part 21, in a manual, airworthiness directive, service letter, service bulletin or other similar document considered to be mandatory by the Executive Director; or
 - (ii) other standards or technical data approved by the Executive Director.

Recording of modifications and repairs

43.03.3 Any person who carries out a modification or repair in terms of regulation 43.02.16 or regulation 43.02.17 must, in addition to the entry referred to in regulation 43.03.1, record the modification or repair and process the certificate relating to the maintenance of the aircraft in the manner as set out in Document NAM-CATS-GMR.

Recording of inspection and certification

43.03.4 (1) A person who carries out an inspection under regulation 43.02.8 or 43.02.9 must -

- (a) record the inspection in the appropriate logbook; and
- (b) ensure that mandatory inspections or any maintenance to an aircraft issued with a standard category certificate of airworthiness are certified by the holder of an aircraft maintenance organisation approval with the appropriate rating.

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

REGULATIONS
Civil Aviation Act 6 of 2016

Namibian Civil Aviation Regulations, 2001

(2) Only a holder of an appropriately-rated approved aircraft maintenance organisation may inspect and certify an aircraft on which the last mandatory inspection was certified by the holder of an aircraft maintenance engineer licence and for which the issue of a standard category certificate of airworthiness in terms of Part 21 is required.

(3) Only an appropriately rated approved aircraft maintenance organisation may, at the times specified -

- (a) carry out an overhaul classified as mandatory for aircraft issued with a standard category certificate of airworthiness; and
- (b) inspect and certify in the manner set out in Document NAM-CATS-GMR that the aircraft has been overhauled.

(4) The responsible aircraft maintenance engineer or an authorised person in the aircraft maintenance organisation concerned must record on a checklist and certify in the relevant logbook, any additional work performed during an inspection.

(5) The person carrying out an inspection or maintenance on an aircraft in terms of this Part or the owner or operator of that aircraft must ensure that -

- (a) records pertaining to life-limited or previously used parts are available and traceable; and
- (b) parts with no historical record are considered to be unserviceable and that such parts are not fitted to an aircraft.

Annual review of maintenance

43.03.5 (1) Any person who carries out and certifies an annual review of maintenance for an aircraft must enter in the aircraft logbook or other technical record approved by the Executive Director -

- (a) the inspection statement as set out in Document NAM-CATS-GMR;

[A missing hyphen has been inserted in the term “NAM-CATS-GMR”
in paragraph (a) to facilitate searches for that term.]

- (b) his or her name, signature, licence or authorised number and the date on the entry;
- (c) the date of the review in the appropriate section of the aircraft technical log; and
- (d) the due date for the next annual review of maintenance in the technical log referred to in paragraph (c).

(2) The person referred to in subregulation (1) must forward a report of the annual review to the Executive Director in a form acceptable to the Executive Director -

- (a) within seven days from the date of completing and certifying the review in accordance with subregulation (1); or

REGULATIONS
Civil Aviation Act 6 of 2016

Namibian Civil Aviation Regulations, 2001

- (b) if the review is not completed and certified in accordance with subregulation (1), within seven days from the expiry of the 30 day period specified in subregulation (6) for completing the review.

(3) Except for instruments and equipment that are expressly permitted to be inoperative in accordance with these regulations, a person who performs an annual review of maintenance for an aircraft may not certify the review as being complete unless -

- (a) every defect has been rectified; and
- (b) the aircraft has been certified for release to service in accordance with Subpart 4.
- (4) The next annual review of maintenance may not be more than 12 months after -
 - (a) the date that the review is certified under subregulation (1); or
 - (b) the beginning of the extension period, if the due date for the review has been extended by the Executive Director.
- (5) A person may not perform a review of airworthiness on a glider, unless that person -
 - (a) is authorised to perform a review of airworthiness on a glider by a gliding organisation; and
 - (b) the person has satisfactorily completed a course of instruction, including an examination, that is acceptable to the Executive Director, on the inspection of aircraft and components for conformity with these regulations.

(6) Except as provided in subregulation (2), a person performing a review of maintenance required in terms of this regulation for an aircraft must, within the 30 day period immediately before certifying that the review has been completed -

- (a) check that the aircraft conforms to its type certificate data sheet or equivalent type data that is acceptable to the Executive Director;
- (b) check that every instrument and item of equipment required in terms of Part 91 is fitted;
- (c) record the aircraft's total time-in-service in the technical log;
- (d) check that since the last review of maintenance or inspection for the issue of an airworthiness certificate -
 - (i) every modification and repair has been correctly recorded and certified for release to service, referencing the applicable technical data listed in Document NAM-CATS-GMR;
 - (ii) all due maintenance specified in the applicable maintenance programme, including the maintenance schedule, has been correctly recorded and certified for release to service;

REGULATIONS
Civil Aviation Act 6 of 2016

Namibian Civil Aviation Regulations, 2001

- (iii) every airworthiness directive relevant to the aircraft type and its installed components has been assessed and certified as being ‘embodied’, ‘found embodied’, or ‘not applicable’, and if an airworthiness directive is repetitive, check that it is recorded in the repetitive section of the appropriate maintenance logbook;
- (iv) every defect recorded in the technical log has been rectified and the aircraft released to service or the defective instruments and equipment are recorded in the technical log, and placarded as inoperative if they are permitted to be inoperative under Part 91;
- (v) every applicable release to service has been completed and certified in accordance with Subpart 4;
- (vi) the recorded mass and balance data reflects any changes to the aircraft’s mass and balance and that the recorded mass and balance data is within the published mass and balance limitations for the aircraft;
- (vii) the flight manual, including every applicable supplement, is the current version for the aircraft in its existing state;
- (e) check that the overhaul and finite life of each life-limited component is recorded and is within the limits laid down in the applicable manufacturer’s documents and, if practicable, verify serial numbers by physical inspection; and
- (f) perform a general condition inspection of the aircraft.

(7) The requirements in subregulations (1)(a) and (2)(a) do not apply to an aircraft that has a special category airworthiness certificate issued under Subpart 8 of Part 21.

(8) The person performing the review of airworthiness must record any new defects identified during the review in the technical log and in the appropriate maintenance logbook.

Installation of new parts

43.03.6 (1) A person may not install a new part on an aeronautical product unless the part meets the standards of airworthiness applicable to the installation of new parts and, subject to subregulations (2) and (3), has been certified under Part 21.

- (2) A certification referred to in subregulation (1) is not required where the -
- (a) new part is a foreign-manufactured part that is certified pursuant to an agreement entered into with the Authority pursuant section 10(6)(h) of the Act, which agreement provides for the acceptance of export airworthiness certification;

[The word “to” appears to have been omitted between the word “pursuant” and the phrase “section 10(6)(h) of the Act”.]

- (b) new part is a foreign-manufactured part that is obtained from a manufacturer holding a type design recognised by the Executive Director and the part is certified in accordance with the laws of the State of Manufacture;

REGULATIONS
Civil Aviation Act 6 of 2016

Namibian Civil Aviation Regulations, 2001

- (c) new part, whose accompanying documentation has been verified, has been inspected in accordance with the requirements of Document NAM-CATS-GMR;
- (d) certificate of airworthiness falls under the owner-maintenance or amateur-built classification; or
- (e) part is made in accordance with Part 21.

(3) A certification referred to in subregulation (1) is not required in respect of a new part that bears markings identifying it as a part specified in the type design and that -

- (a) is a standard part;
- (b) is a commercial part; or
- (c) is a part that was not originally designed and manufactured for aeronautical use, but has been approved for use on the aeronautical product in the type design.

Installation of used parts

43.03.7 (1) A person may not install a used part on an aeronautical product, other than aircraft that are operated under a special certificate of airworthiness in the owner-maintenance or amateur-built classification, unless the part meets the standards of airworthiness that are applicable to the installation of used parts and are set out in Document NAM-CATS-GMR and the part to be installed -

- (a) is an airworthy part that has been removed from an aircraft for immediate installation on another aircraft;
- (b) is an airworthy part that has undergone maintenance for which a maintenance release has been issued by the Executive Director; or
- (c) has been inspected and tested to ensure that the part conforms to its type design and is in a safe condition, and a maintenance release has been signed to that effect by the Executive Director.

(2) If, under the terms of a loan agreement or an air operator parts pooling agreement, a used part has been obtained from a source not subject to these regulations, the owner or operator of, or a person who is in charge of, the aircraft on which the part has been installed may not permit the part to remain in service for longer than 90 days, unless specifically authorised by the Executive Director on receipt of documentation demonstrating that the part conforms to the applicable type design.

Installation and disposal of life-limited parts

43.03.8 (1) A person may not install a used life-limited part on an aeronautical product unless the part meets the standards of airworthiness set out in Document NAM-CATS-GMR, and -

- (a) the technical history of the part is available to show that the time in service authorised for that part in the type certificate governing the installation has not been exceeded; and

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

- (b) the history referred to in paragraph (a) is incorporated into the technical record for the aeronautical product on which the part is installed.

(2) A person may not install a used life-limited part in a place other than that from which it was removed unless the part is installed -

- (a) in the same or in an identical position on another aeronautical product bearing the same part number as that from which the part was removed; or
- (b) in conformity with the requirements in respect of technical data that have been approved or the use of which has been approved by the manufacturer of the part.

(3) When a life-limited part has reached the time in service authorised in its type design, the part must be rendered unusable and -

- (a) clearly identified as not airworthy and kept segregated from airworthy parts; or
- (b) disposed of in such a way as to prevent misuse by any other person.

SUBPART 4
CERTIFYING FOR CONFORMITY AFTER
MAJOR MODIFICATIONS OR MAJOR REPAIRS

Applicability of Subpart

43.04.1 This Subpart prescribes regulations and rules governing the certification of an aircraft that is issued with a standard or restricted category airworthiness certificate under Subpart 8 of Part 21 for conformity with acceptable technical data following major modifications or major repairs.

Persons to certify conformity

43.04.2 (1) A person may not certify that an aircraft or component conforms to acceptable technical data following a major modification or a major repair unless that person -

- (a) holds an authorisation issued by the holder of a maintenance organisation approval certificate, to certify conformity of the aircraft or component; or
- (b) is authorised by the manufacturer of the aircraft or component to certify conformity of the aircraft or component.

(2) Despite subregulation (1), a person may certify that a glider or glider component conforms to acceptable technical data following a major modification or a major repair if that person -

- (a) is authorised by a gliding organisation to certify conformity of gliders and glider components; and
- (b) has attended a course of instruction and passed an examination on the inspection of gliders and glider components that is acceptable to the Executive Director.

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

Certifying requirements

43.04.3 Each person certifying conformity of an aircraft or aircraft component following a major modification or a major repair must, before certifying to that effect, ensure that the modification or repair conforms to the applicable technical data acceptable to, or approved by, the Executive Director.

Certification

43.04.4 (1) Except as provided by subregulation (2), every person who certifies that an aircraft or aircraft component conforms to the applicable technical data required by regulation 43.04.3 following a major modification or a major repair, in addition to the entry referred to in regulation 43.03.1, must -

- (a) complete the necessary maintenance record in the logbook; and
- (b) process the certificate relating to the maintenance of the aircraft in the manner set out in Document NAM-CATS-GMR.

(2) The person certifying that an aircraft or aircraft component conforms to the applicable technical data required by regulation 43.04.3 must provide the holder of the certificate of registration for the aircraft with the copy of the completed record.

(3) Every person who certifies conformity must forward a copy of the completed record to the Executive Director, within seven days of the completion of the certification.

**SUBPART 5
RELEASE TO SERVICE****Persons to certify release to service**

43.05.1 (1) A person may not certify an aircraft or aircraft component for release to service after maintenance unless that person -

- (a) is the holder of an aircraft maintenance engineer licence with an appropriate rating;
- (b) is authorised by the holder of an aircraft maintenance organisation approval with an appropriate rating, issued to certify maintenance within the scope of such approval;
- (c) is authorised by the Executive Director to certify an aircraft or aircraft component for release to service; or
- (d) for maintenance carried out outside Namibia, holds a licence or equivalent authorisation issued by an appropriate authority acceptable to the Executive Director, for the type of aircraft or aircraft component.

(2) The holder of a pilot licence with an appropriate type rating issued in terms of Part 61 or Part 62 may certify maintenance which has been carried out in accordance with the conditions referred to in regulation 43.02.2(2).

Requirements for certifying release to service

REGULATIONS
Civil Aviation Act 6 of 2016

Namibian Civil Aviation Regulations, 2001

43.05.2 (1) A person may not certify an aircraft or aircraft component for release to service after maintenance unless -

- (a) such maintenance has been carried out in accordance with the provisions of this Part;
- (b) the person meets the requirements of regulation 43.05.1;
- (c) in respect of that maintenance, the aircraft or component is fit for release to service;
- (d) if the aircraft has undergone maintenance that may have appreciably affected the flight characteristics or operation of the aircraft -
 - (i) a satisfactory operational flight check has been carried out and the completion of the flight check is recorded in the aircraft maintenance logbook or worksheet, and the technical log; or
 - (ii) ground tests, inspections, or both, show conclusively that the maintenance has not appreciably changed the flight characteristics or substantially affected the flight operation of the aircraft and details of the ground tests and inspections, as the case may be, have been recorded in the aircraft maintenance logbook or worksheet; or
 - (iii) the release to service is for the purpose of performing the operational flight check required under subparagraph (i).

(2) A person may not certify an aircraft or aircraft component for release to service after the performance of a major modification or a major repair unless -

- (a) the person meets the requirements of regulation 43.05.1;
- (b) the major modification or major repair has been certified for conformity with acceptable technical data in accordance with Subpart 4;
- (c) in respect of that major modification or major repair, the aircraft or component is fit for release to service; and
- (d) if the acceptable technical data under paragraph (b) includes changes to the operating limitations or flight data in the flight manual, the changes have been incorporated into the flight manual.

(3) The person responsible for certifying an aircraft for release to service under subregulation (1)(d)(iii) for the purpose of an operational flight check must record in the aircraft maintenance logbook or worksheet, and the technical log -

- (a) the following statement of release-to-service: "In respect of the recorded work, the aircraft is released to service for an operational flight check only"; and
- (b) adjacent to the statement of release to service -
 - (i) the person's name;

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

- (ii) the person's signature, except where the maintenance logbook or worksheet is in electronic format;
- (iii) the person's licence, approval or authorisation number; and
- (iv) the date of entry.

Validity of certificate of release to service

43.05.3 (1) A certificate of release to service for an aircraft may be validated by the Executive Director for -

- (a) a period not exceeding 12 months or 100 hours of flight time, whichever comes first; or
- (b) such other time as approved in the progressive inspection programme referred to in regulation 43.02.8.

(2) If a certificate of airworthiness becomes invalid due to an aircraft sustaining a defect not affecting the primary structure, the validity of the certificate is restored when the defect has been rectified and the necessary certification has been made.

(3) If a certificate of airworthiness becomes invalid due to an aircraft sustaining a serious defect in an accident or incident that affects the serviceability of a Class I product, the certificate of release to service becomes invalidated as well.

Certifying after inspection

43.05.4 Any person who certifies an aircraft or aircraft component for release to service after carrying out an inspection must enter in the appropriate logbook or other maintenance record approved by the Executive Director -

- (a) the statement as set out in Document NAM-CATS-GMR; and
- (b) his or her signature, licence or authorisation number and the date of the entry.

Certifying after maintenance

43.05.5 (1) Any person who certifies an aircraft or aircraft component for release to service after maintenance must enter in the appropriate logbook or other maintenance record approved by the Executive Director -

- (a) the statement set out in Document NAM-CATS-GMR; and
- (b) his or her name, signature, licence or authorisation number and the date of the entry.

(2) If components are not installed on, or allocated to, an aircraft the person certifying release to service must certify the release to service on the appropriate form as set out in Document NAM-CATS-GMR.

Discrepancies

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

43.05.6 (1) Any person who carries out an inspection and who does not release the aircraft or aircraft component to service must -

- (a) provide the owner or operator with a signed and dated list of the discrepancies, including any equipment which is marked “inoperative” in terms of paragraph (b), if such person is satisfied that the aircraft -
 - (i) is not airworthy; or
 - (ii) does not comply with the applicable type certificate data, airworthiness directives or other approved data upon which the airworthiness of such aircraft depends;
- (b) for those items which appear to be imperative, place a label on each inoperative instrument and the cockpit controls of each item of inoperative equipment, marking each item “inoperative”; and
- (c) the date of entry, his or her name, signature, licence or authorisation number and the appropriate statement as set out in Document NAM-CATS-GMR, in the appropriate logbook or flight folio.

[There is a word, possibly the word “record”, missing at the beginning of paragraph (c).]

Flight manual data

43.05.7 If the approved data for a repair or modification to an aircraft or aircraft component includes changes to the operating limitations or flight data in the aircraft flight manual, the person certifying the release to service may not certify the release to service until the changes have been incorporated into the flight manual.

Duplicate inspection of controls

43.05.8 (1) A person may not certify an aircraft component for release to service after the initial assembly, subsequent disturbance or adjustment of any part of an aircraft or component control system, unless -

- (a) the applicable requirements of this Subpart have been complied with;
- (b) a duplicate safety inspection of the control system of the aircraft or the component, as the case may be, has been carried out and functions correctly;
- (c) in respect of the maintenance that has been carried out, the control system is assembled correctly and every required locking mechanism is in place; and
- (d) the duplicate safety inspection is recorded and certified in the appropriate logbook or other maintenance record approved by the Executive Director.

(2) A duplicate safety inspection authorised in terms of subregulation (1) must consist of -

- (a) an inspection by a person referred to in regulation 43.05.1 to certify the aircraft or component for release to service of the control system after maintenance; and

REGULATIONS
Civil Aviation Act 6 of 2016

Namibian Civil Aviation Regulations, 2001

- (b) a second inspection carried out by another person who is nominated by the person referred to in regulation 43.05.1, and has adequate training, knowledge and experience to carry out the safety inspection and who holds -
 - (i) a current appropriately rated aircraft maintenance engineer licence;
 - (ii) a current pilot licence with a rating on the aircraft type issued in accordance with Part 61 or Part 62;
 - (iii) a current authorisation issued by the holder of a maintenance organisation approval certificate issued in accordance with Part 145, to certify maintenance within the scope of such approval; or
 - (iv) a current appropriate maintenance engineer licence or approval issued under the appropriate authority of an ICAO contracting State.

Ground running checks: reciprocating engines

43.05.9 A person may not certify a reciprocating engine-powered aircraft for release to service after a mandatory inspection unless that person ensures that -

- (a) a ground run of the aircraft engine has been carried out to determine satisfactory performance in accordance with the manufacturer's recommendations for -
 - (i) the power output (static and idle RPM);
 - (ii) the ignition system;
 - (iii) the fuel and oil pressure; and
 - (iv) the cylinder or coolant temperature, and oil temperature; and
- (b) the ambient conditions of temperature and atmospheric pressure and details of the results are recorded -
 - (i) in the appropriate engine or aircraft logbook; and
 - (ii) in the maintenance record.

Ground running checks: turbine engine

[The heading of this regulation in the LIST OF REGULATIONS
is "Ground running checks: turbine engines" (plural).]

43.05.10 A person may not certify a turbine engine-powered aircraft for release to service after a mandatory inspection unless that person ensures that -

- (a) a ground run of the aircraft engine has been carried out to determine satisfactory performance in accordance with the manufacturer's recommendations;
- (b) the ambient conditions of temperature and atmospheric pressure and details of the results are recorded -

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

- (i) in the appropriate engine or aircraft logbook; or
- (ii) in the maintenance record approved by the Executive Director;
- (c) the engine parameters are recorded in accordance with the manufacturer's recommendations -
 - (i) in the appropriate engine or aircraft logbook; or
 - (ii) in the maintenance record approved by the Executive Director.

Flight folio completion

43.05.11 A person may not certify an aircraft or aircraft component for release to service in an aircraft flight folio unless -

- (a) each applicable section of the flight folio has been completed; and
- (b) the section where any rectification of deferred defects has been recorded.

[There is a problem with the structure of paragraph (b) read together with the introductory statement. It is not clear what was intended. It is possible that the phrase "the section where" appears in error in that paragraph.]

Engine performance checks

43.05.12 A person may not certify an aircraft for release to service after the following maintenance activities:

- (a) a 100-hour or equivalent inspection carried out in accordance with the aircraft manufacturer's maintenance schedule;
- (b) an engine change;
- (c) a propeller change; or
- (d) any other form of maintenance, if the aircraft manufacturer recommends an engine performance check after the maintenance,

unless an engine performance check has been performed in accordance with the aircraft manufacturer's recommendations.

SUBPART 6
MAINTENANCE FOR SPECIAL CATEGORY AIRCRAFT

Applicability of Subpart

43.06.1 This Subpart prescribes regulations that are additional to, or exceptions from, the requirements of Subparts 2 and 5 for the maintenance of an aircraft that has a special category airworthiness certificate issued under Subpart 8 of Part 21.

Performance of maintenance

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

43.06.2 A person performing maintenance in accordance with a maintenance programme, including the maintenance schedule required under regulation 43.02.1, on an aircraft that has a special category airworthiness certificate or a component fitted or intended to be fitted to an aircraft that has a special category airworthiness certificate must -

- (a) at the start of the maintenance programme, including the maintenance schedule, inspect the aircraft for any defect or configuration anomalies which would be unlikely to be detected by the inspections required under paragraph (b); and
- (b) after the initial inspection, conduct routine inspections and detailed inspections in accordance with the maintenance programme, including the maintenance schedule.

Recording of overhaul

43.06.3 (1) Despite the provisions of regulation 43.03.2, and subject to subregulation (2), a person may state in an appropriate maintenance document for an aircraft that has a special category airworthiness certificate that an airframe or engine, a propeller or component of the aircraft has been overhauled if it has been disassembled, cleaned, inspected, repaired as necessary, reassembled, and tested using methods and techniques documented by -

- (a) the aircraft or component manufacturer; or
- (b) a military authority to standards acceptable to the Executive Director.

(2) For an aircraft that has a special category-exhibition airworthiness certificate or a special category-limited airworthiness certificate, the methods and techniques required by subregulation (1) must be specified in the maintenance programme, including the maintenance schedule required under regulation 43.02.1.

Maintenance records

43.06.4 (1) Despite regulation 43.03.1(1)(k), a person performing maintenance on an aircraft that has a special category airworthiness certificate must, on completion of the maintenance, record the following references for any replacement part or component:

- (a) the origin of the part or component;
- (b) the source of the part or component;
- (c) documentation associated with the part or component; and
- (d) the history of the part or component,

in the appropriate logbook.