

REGULATIONS
Civil Aviation Act 6 of 2016

Namibian Civil Aviation Regulations, 2001

PART 47
AIRCRAFT: REGISTRATION AND MARKING OF AIRCRAFT

[Part 47 is substituted by GN 236/2020.]

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[This regulation is incorrectly numbered as “47.05.9” in the text of the regulations below.]

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SUBPART 1
REQUIREMENTS FOR REGISTRATION AND MARKING

Applicability

47.01.1 This Part applies to -

- (a) the registration of aircraft used in Namibia;
 - (b) the allocation of nationality, registration and marks for new aircraft to be registered in Namibia; and
 - (c) the display of marks on aircraft registered in Namibia.
- (2) This Part does not apply to any -
- (a) hang -glider;
 - (b) paraglider;
 - (c) unmanned free balloon;
 - (d) captive balloon;
 - (e) kite;
 - (f) model aircraft;
 - (g) foreign registered aircraft;
 - (h) parachute;
 - (i) powered paraglider; and
 - (j) remotely piloted aircraft.

Requirement for aircraft registration

47.01.2 (1) Every person lawfully entitled to the possession of an aircraft must, if the aircraft flies into, from, within or over Namibian territory, hold a valid certificate of registration for such aircraft issued by any one of the following:

- (a) the Executive Director, where the aircraft, whether a production built or an amateur built aircraft, is to be registered in Namibia; or
- (b) in the case of any aircraft which is not intended to be registered in Namibia either -
 - (i) the appropriate authority of another contracting State of ICAO; or
 - (ii) the appropriate authority of a State which is not a member State of ICAO, but which is party to an agreement with the Government of Namibia providing for the acceptance by Namibia of the aircraft registrations of that State.

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- (2) The Executive Director may not register an aircraft that holds a current registration in any other State.

Requirement for aircraft marking

47.01.3 (1) The Executive Director is responsible for the allocation of nationality and registration marks to be displayed on Namibian registered aircraft.

(2) Upon the registration of an aircraft in terms of regulation 47.02.2(1), the Executive Director may -

- (a) if the aircraft was previously registered in Namibia, allocate the same registration marks as were originally borne by such aircraft, if the registration marks are still available; or
- (b) allocate special registration marks as requested by the applicant, if the requested marks are available,

so long as the application for registration is -

- (i) made in the appropriate form set out in NAM-CATS-ARM; and
- (ii) accompanied by the appropriate fee as prescribed in Part 187.

(3) A person may not use a Namibian registered aircraft unless such aircraft displays a nationality mark and a registration mark in the manner, and in accordance with specifications set out in Document NAM-CATS-ARM.

[There should be a comma after the phrase “and in accordance with specifications” to offset that phrase properly.]

(4) A person may not place on any Namibian registered aircraft any mark or symbol which modifies the registration mark allocated or which has, in the opinion of the Executive Director -

- (a) the potential to confuse or mislead as to the character, nationality, apparent intended use or other status of the aircraft; or
- (b) is otherwise in conflict with the intent of the marking required to be displayed in accordance with the specifications referred to in subregulation (3).

(5) A police mark for display on a Namibian registered aircraft must, in addition to any other required marking, comprise the word POLICE followed by a number allocated by the Executive Director.

Nationality and registration marks of aircraft

47.01.4 (1) An aircraft registered on the Namibian register becomes a Namibian registered aircraft and is deemed to have Namibian nationality.

(2) The nationality mark of a Namibian registered aircraft is denoted by the capital letter and number V5.

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- (3) The registration mark of a Namibian registered aircraft -
 - (a) is allocated to the aircraft by the Executive Director; and
 - (b) comprises a group consisting of three letters appearing after and separated from the nationality mark by a hyphen.

(4) The three letter registration mark referred to in subregulation (3)(b) must exclude the following combinations that might be confused with five-letters used in the International Code of Signals:

[The term “three letter” should be hyphenated as “three-letter”. The term “five-letters” should be the two words “five letters”, or perhaps the phrase “five-letter combinations” or similar.]

- (a) combination with the first letter Q reserved for Q-Code in aviation language;
- (b) combination with SOS used for distress signal;
- (c) combination with XXX used for urgency signal;
- (d) combination with PAN used for urgency signal; or
- (e) combination with TTT used for urgency signal.

SUBPART 2
REGISTRATION OF AIRCRAFT

Application for registration

47.02.1 (1) An application for the registration of an aircraft and the issue of a certificate of registration must be made to the Executive Director in the appropriate form set out in Document NAM-CATS-ARM.

(2) If An application referred to in subregulation (1) is in respect of an aircraft which is imported into Namibia for the first time or returns to Namibia and has to be re-registered on the register in terms of Part 21, it must be accompanied by -

- (a) a certificate or notification of revocation or de-registration from the appropriate authority of the State or territory in which the aircraft was last registered; or
- (b) a certificate or notification of non-registration from the appropriate authority of the State or territory from which the aircraft is imported; and
- (c) the original of -
 - (i) the valid certificate of airworthiness issued by the appropriate authority of the last State or territory from which the aircraft is imported; or
 - (ii) the export certificate of airworthiness issued by the appropriate authority of the State or territory from which the aircraft is imported; and
- (d) an export airworthiness approval -

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- (i) from the appropriate authority of the State in which the aircraft is registered; or
- (ii) in the case of a new aircraft or an aeronautical product, by an exporter of the aircraft or aeronautical product in the State of the Manufacturer;
- (e) confirmation that a type acceptance certificate has been issued by the Executive Director; and
- (f) proof of compliance with the provisions of the Value Added Tax Act, 2000 (Act No. 10 of 2000) (Value Added Tax Act) and the Customs and Excise Act, 1998 (Act No. 20 of 1998) (Customs and Excise Act), as the case may be, as specified in Document NAM-CATS-ARM.

[The correct name of Act 10 of 2000 is the “Value-Added Tax Act”,
with a hyphen in the term “Value-Added”.]

(3) If an application referred to in subregulation (1) is in respect of a non-type certificated aircraft which is imported into Namibia for the first time or returns to Namibia and has to be re-registered on the register in terms of Part 24 -

- (a) in the case of a production-built aircraft, it must be accompanied by -
 - (i) a certificate or notification of revocation or de-registration from the appropriate authority of the State or territory in which the aircraft was last registered; or
 - (ii) a certificate or notification of non-registration from the appropriate authority of the State or territory from which the aircraft is imported; and
 - (iii) a copy of the certificate of conformity issued by the manufacturer;
 - (iv) the original of -
 - (aa) the valid authority to fly or flight permit or other similar document, as the case may be, issued by the appropriate authority of the State or territory in which the aircraft was last registered; or
 - (bb) an export authority to fly or flight permit or other similar document, as the case may be, issued by the appropriate authority of the State or territory from which the aircraft is imported;
 - (v) confirmation that a certificate of acceptance for the non-type certificated aircraft has been issued by the Executive Director; and
 - (vi) proof of compliance with the provisions of the Value Added Tax Act and Customs and Excise Act, as specified in the Document NAM-CATS-ARM;
- (b) in the case of an amateur-built aircraft, it must be accompanied by -
 - (i) a certificate or notification of revocation or de-registration from the appropriate authority of the State or territory in which the aircraft was last registered; or

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- (ii) a certificate or notification of non-registration from the appropriate authority of the State or territory from which the aircraft is imported; and
- (iii) the original of -
 - (aa) the valid authority to fly or flight permit or other similar document, as the case may be, issued by the appropriate authority of the State or territory in which the aircraft was last registered; or
 - (bb) an export authority to fly or flight permit or other similar document, as the case may be, issued by the appropriate authority of the State or territory from which the aircraft is imported; and
- (d) proof of compliance with the provisions of the Value added Tax Act and the Customs and Excise Act as specified in the Document NAM-CATS-ARM.

[The correct name of the first-mentioned Act is the “Value-Added Tax Act”.]

(4) If an application referred to in subregulation (1) is in respect of a type certificated or a non-type certificated aircraft that is locally manufactured or assembled and has to be registered in Namibia for the first time or returns to Namibia and has to be re-registered on the register in terms of Part 21 or Part 24, it must be accompanied by -

- (a) a copy of the certificate of conformity issued by the manufacturer; and
- (b) a copy of the type certificate issued by the Executive Director.

(5) If an application referred to in subregulation (1) is in respect of a non-type certificated aircraft that is locally manufactured or assembled and has to be registered in Namibia for the first time or returns to Namibia and has to be re-registered on the register in terms of Part 24 -

- (a) in the case of a production-built aircraft, it must be accompanied by -
 - (i) a copy of the certificate of conformity issued by the manufacturer; and
 - (ii) confirmation that a certificate of acceptance of the non-type certificated aircraft has been issued by the Executive Director;
- (b) in the case of an amateur-built aircraft derived from an approved kit, it must be accompanied by -
 - (i) a copy of the certificate of conformity issued by the manufacturer; and
 - (ii) confirmation that a certificate of acceptance of non-type certificated aircraft has been issued by the Executive Director;
- (c) in the case of an amateur-built aircraft derived from approved plans, it must be accompanied by notification of authorisation for registration issued by the Executive Director.

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(6) If an application referred to in subregulation (1) is in respect of a veteran aircraft or an ex-military aircraft that has to be registered in Namibia for the first time or returns to Namibia and has to be re-registered in terms of Part 24, it must be accompanied by -

- (a) an aircraft individual or group type certificate, as the case maybe, issued by the appropriate authority of the State of Design;

[The word “maybe” should be the phrase “may be”.]

- (b) an export certificate of airworthiness issued by the appropriate authority of the last State of Registry;
- (c) a copy of the certificate of airworthiness depicting the operational limitations and authorised categories of operations issued by the appropriate authority of the last State of Registry;
- (d) an airframe logbook, a powerplant logbook and a propeller logbook indicating the operational and maintenance history of the aircraft or equivalent document, from the last owner or operator of the aircraft;

[The phrase “maintenance history” is repeated.]

- (e) an aircraft technical status report;
- (f) information and documentation showing that all required airworthiness directives have been complied with, including required operational service bulletins for the aircraft, powerplant and propeller; and
- (g) the designation type data plates from the manufacturer, for the airframe, powerplant and propeller.

(7) In addition to the requirements of subregulation (6), the aircraft in relation to which the application is made must meet the following requirements:

- (a) the instruments and avionics of the aircraft must meet regulatory requirements contained in Part 91, 121, 127, 133, 135 or 137, depending on the intended use of the aircraft;
- (b) in case of an ex-military aircraft, it must be inspected by an authorised officer, inspector or authorised person and be issued with a conformity statement allowing it entry into Namibia; and
- (c) the importation of an ex-military aircraft should be accepted by the Executive Director by the issuance of the letter of no objection for the importation of such an aircraft.

(8) In case the aircraft is to be registered in the name of -

- (a) an individual, the application must be accompanied by proof of his or her identity;
- (b) a company, the application must be accompanied by -
 - (i) proof of registration of the company with the Registrar of Companies in terms of the Companies Act, 2004 (Act No. 28 of 2004) (Companies Act);

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- (ii) a certified true copy of its most recent register of directors lodged with the Registrar of Companies in terms of the Companies Act;
- (iii) proof of identity of the director authorised to act on behalf of the applicant; and
- (iv) the relevant authorising resolution in the appropriate form set out in Document NAM-CATS-ARM;
- (c) a close corporation, the application must be accompanied by -
 - (i) a certified true copy of its founding statement approved by the Registrar of Close Corporations in terms of the Close Corporation Act, 1988 (Act No. 28 of 1988) (Close Corporation Act);
 - (ii) proof of identity of the member authorised to act on behalf of the applicant; and
 - (iii) the relevant authorising resolution in the appropriate form set out in Document NAM-CATS-ARM;
- (d) a trust, the application must be accompanied by a certified true copy of -
 - (i) the trust instrument issued by the Master of the High Court of Namibia; or
 - (ii) the appropriate letter of appointment; and
 - (iii) proof of identity of the trustee authorised to act on behalf of the applicant; and
 - (iv) the authorising resolution concerned in the appropriate form set out in Document NAM-CATS-ARM;
- (e) any other applicant, the application must be accompanied by -
 - (i) a certified true copy of any other founding documents;
 - (ii) proof of identity of the person authorised to act on behalf of the applicant; and
 - (iii) the relevant authorising resolution in the appropriate form set out in Document NAM-CATS-ARM.

(9) Each application made under this regulation must be accompanied by the appropriate fee as prescribed in Part 187.

(10) Any application seeking exemption from compliance with the prescribed requirements must comply with Subpart 3 of Part 3.

Registration and issue of certificate

47.02.2 (1) The Executive Director must grant An application made under regulation 47.02.1, register the aircraft and issue a certificate of registration to the applicant if -

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- (a) the documentation, record entries and other administrative steps necessary to issue a registration certificate have been completed; and
- (b) any investigation considered by the Executive Director necessary to determine the applicant's ability to meet the requirements specified in this Part have been completed satisfactorily, and -
 - (i) in the case of an individual, the applicant is a lawful resident of Namibia;
 - (ii) in the case of a juristic person, the applicant is registered and has its principal place of business in Namibia; and
 - (iii) the aircraft is not registered in any other State or territory; and
- (c) the granting of the certificate is not contrary to the interest of aviation safety.

(2) Registration of an aircraft and the issuing of a certificate of registration under this Part does not confer or imply ownership of the aircraft.

(3) The Executive Director must issue a certificate of registration on the appropriate form set out in Document NAM-CATS-ARM.

(4) If the Executive Director grants an application and issues a certificate of registration in accordance with subregulation (1), the Executive Director must enter or cause to be entered in the aircraft register -

- (a) the full name and, if any, the trade name of the holder of the certificate of registration;
- (b) the postal address of the holder of the certificate of registration;
- (c) the date on which the aircraft was registered on the aircraft register for the first time;
- (d) the date on which the aircraft was registered in the name of the holder;
- (e) particulars of the manufacturer's designation, serial number and maximum certificated mass of the aircraft;
- (f) the nationality and registration marks of the aircraft;
- (g) the airworthiness category of the aircraft;
- (h) the date of registration; and
- (i) if applicable, the description of the identifiable paint scheme and markings approved under regulation 47.04.4 or 47.04.5.

(5) A certificate of registration issued under subregulation (1) for an aircraft that in accordance with Part 21 has, or is to be issued with, a restricted airworthiness certificate must be accompanied by a standard or restricted category type certificate or type acceptance certificate that has been issued for the aircraft type by the Executive Director or by the State of Design.

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Duties of holder of certificate

47.02.3 The holder of a certificate of registration must -

- (a) keep the original certificate of registration in a safe place and produce such certificate to an authorised officer, inspector or authorised person for inspection. if so requested by such officer, inspector or person;
- (b) carry a certified true copy of the certificate of registration in the aircraft at all times;
- (c) on an annual basis, confirm to the Executive Director in the appropriate form set out in Document NAM-CATS-ARM -
 - (i) that he, she or it is still the owner of the aircraft; and
 - (ii) his, her or its postal and physical address.

Application for amendment of certificate

47.02.4 (1) If the holder of a certificate of registration desires to amend -

- (a) the name in which the certificate of registration was issued;
- (b) the address on the certificate of registration; or
- (c) any other information contained in the certificate,

such holder must apply to the Executive Director for such amendment.

(2) An application under subregulation (1) must be -

- (a) made in the appropriate form set out in Document NAM-CATS-ARM; and
- (b) accompanied by -
 - (i) if the aircraft is registered in the name of a company and the name of the company is changed, a certified true copy of the certificate of change of name of the company, approved by the Registrar of Companies in terms of the Companies Act;
 - (ii) if the aircraft is registered in the name of a close corporation and the name of that close corporation is changed, a certified true copy of the amended founding statement of the close corporation, approved by the Registrar of Close Corporations in terms of the Close Corporations Act; and
 - (iii) the appropriate fee as prescribed in Part 187.

(3) If a bank or other financier registers a mortgage over an aircraft, the holder of a certificate of registration for such a mortgaged aircraft may simultaneously apply for an amendment of such certificate in order to have the said certificate endorsed with the details of mortgage, mortgagee, mortgagor and date of registration of the mortgage.

(4) An application for amendment referred to in subregulation (3) must be -

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- (a) made in the appropriate form set out in Document NAM-CATS-ARM; and
- (b) accompanied by -
 - (i) a certified excerpt from the Deeds Registry indicating registration of the said mortgage; and
 - (ii) the appropriate fee for the amendment by endorsement of a certificate of registration as prescribed in Part 187.

(5) The Executive Director must issue the amended certificate in the appropriate form set out in Document NAM-CATS-ARM.

Duplicate certificate

47.02.5 (1) If a certificate of registration is lost, stolen, damaged or destroyed or so damaged that particulars are no longer clearly legible, the holder of the certificate or an aircraft maintenance organisation approved under Part 145 and which is responsible for the servicing and maintenance of the aircraft may apply to the Executive Director for the issue of a duplicate of the certificate of registration.

- (2) An application referred to in subregulation (1) must be -
 - (a) made in the appropriate form set out in Document NAM-CATS-ARM;
 - (b) accompanied, where applicable, by the damaged certificate; and
 - (c) accompanied by the appropriate fee as prescribed in Part 187.

(3) A duplicate of the certificate of registration is issued on the appropriate form set out in Document NAM-CATS-ARM.

SUBPART 3
TRANSFER OF POSSESSION AND DE-REGISTRATION OF AIRCRAFT

Notification of transfer of right of possession of aircraft

- 47.03.1** (1) If -
- (a) the holder of a certificate of registration -
 - (i) transfers to another person the right of possession of the aircraft specified in the certificate; or
 - (ii) ceases to have lawful entitlement to possession of the registered aircraft for a period of 28 days or longer; or
 - (b) a certificate of registration in respect of an aircraft becomes invalid for whatever reason on the date the certificate holder ceases to have lawful entitlement to possession of the aircraft,

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that holder must, within 14 days from the date of transfer of possession, ceasing to have possession of the aircraft or the certificate becoming invalid, as the case may be, notify the Executive Director of the transfer, ceasing to have possession of the aircraft or invalidation by applying for the revocation of the certificate of registration in the appropriate form set out in Document NAM-CATS-ARM.

[A missing hyphen has been inserted in the term
"NAM-CATS-ARM" to facilitate searches for that term.]

(2) An application referred to in subregulation (1) must be accompanied by the appropriate fee prescribed in Part 187.

(3) If the holder in whose name the aircraft is registered -

- (a) is an individual and has died, and an executor has been appointed, the application referred to in subregulation (1) must be accompanied by a certified true copy of the letter of executorship issued by the Master in terms of the Administration of Estates Act, 1965 (Act No. 66 of 1965) (Administration of Estates Act);
- (b) is an individual and the estate of such holder is sequestrated and a trustee has been appointed, the application referred to in subregulation (1) must be accompanied by a certified true copy of the certificate of appointment issued by the Master in terms of the Insolvency Act, 1936 (Act No. 24 of 1936) (Insolvency Act); or
- (c) is a company or a close corporation and such holder is liquidated and a liquidator has been appointed, the application referred to in subregulation (1) must be accompanied by a certified true copy of the certificate of appointment issued by the Master in terms of the Companies Act or the Close Corporations Act, as the case may be.

(4) The person to whom the ownership or possession of an aircraft has been transferred to in accordance with subregulation (1) must -

- (a) complete the appropriate form set out in Document NAM-CATS-ARM and submit the form to the Executive Director within 14 days after the date of the transfer; and
- (b) apply for the registration of the aircraft in his or her or its name in accordance with subregulation (5).

(5) An application referred to in subregulation (4), must be -

- (a) made in terms of regulation 47.02.1 within 30 days from the date of transfer; and
- (b) accompanied by the appropriate fee prescribed in Part 187.

(6) A certificate of registration becomes invalid from the twenty-eighth day after the date on which the holder of the certificate of registration has transferred to another person the permanent and unconditional right of possession of the aircraft.

(7) From the date on which a certificate of registration has become invalid in terms of subregulation (6), a person may not use the aircraft specified in the certificate unless, and until such time as -

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(a) the aircraft is registered in the name of the person to whom the right of possession of the aircraft is transferred; and

(b) such person holds a certificate of registration issued by the Executive Director.

(8) From the date on which a certificate of registration becomes invalid in terms of subregulation (6), the Executive Director may prohibit any further flight or operation of such aircraft by way of written notification to the Head of Air Navigation Services as well as the person to whom the right of possession has been transferred.

(9) A prohibition imposed under subregulation (8) is effective as from the date of the said notification and may not be withdrawn until the latest owner of the aircraft has -

(a) complied with all such requirements, as prescribed in these regulations, as may be necessary to issue a new certificate of registration; and

(b) paid the appropriate fees prescribed in Part 187 for registration as well as the withdrawal of such prohibition.

Application for certificate of de-registration

47.03.2 (1) If the holder of a certificate of registration desires to transfer the aircraft for permanent use outside Namibia, that holder must apply to the Executive Director for a certificate of de-registration of the aircraft.

(2) An application referred to in subregulation (1) must be made in the appropriate form set out in Document NAM-CATS-ARM and must be accompanied by -

(a) the original of the last certificate of registration;

(b) in the case of an aircraft other than an amateur-built or production-built, the original of the last certificate of airworthiness issued in terms of Part 21;

(c) in the case of an amateur-built or production-built aircraft, the original of the last authority to fly issued by the Executive Director in terms of Part 24;

(d) if the holder in whose name the aircraft is registered -

(i) is an individual and has died, and an executor has been appointed, a certified true copy of the letter of executorship issued by the Master in terms of the Administration of Estates Act;

(ii) is an individual and the estate of such holder is sequestrated and a trustee has been appointed, a certified true copy of the certificate of appointment issued by the Master in terms of the Insolvency Act; or

(iii) is a company or a close corporation and such holder is liquidated and a liquidator has been appointed, a certified true copy of the certificate of appointment issued by the Master in terms of the Companies Act or the Close Corporations Act, as the case may be; and

(e) the appropriate fee prescribed in Part 187.

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- (3) If a Namibian registered aircraft -
 - (a) is destroyed, lost or stolen;
 - (b) is damaged beyond repair and becomes permanently useless as an aircraft; or
 - (c) is permanently withdrawn from use,

the holder of the certificate of registration concerned must as soon as possible -

- (i) apply to the Executive Director for the de-registration of the aircraft and revocation of such certificate of registration; and
 - (ii) in addition, give provisional notice in writing to the Executive Director within 30 days from the date on which such event occurred, of his or her or its intention to apply for such de-registration.
- (4) An application referred to in subregulation (3) must be -
 - (a) made in the appropriate form set out in Document NAM-CATS-ARM; and
 - (b) be accompanied by -
 - (i) the original of the latest certificate of registration;
 - (ii) in the case of any amateur-built aircraft or production-built aircraft, the special flight permit issued by the Executive Director in terms of Part 21 or Part 24;
 - (iii) in the case of an aircraft other than an amateur-built aircraft or production-built aircraft, the certificate of airworthiness issued by the Executive Director in terms of Part 21;
 - (iv) the airframe data plate of the aircraft;
 - (v) if the holder in whose name the aircraft is registered -
 - (aa) is an individual and has died, and an executor has been appointed, a certified true copy of the letter of executorship issued by the Master in terms of the Administration of Estates Act;
 - (bb) is an individual and the estate of such holder is sequestrated and a trustee has been appointed, a certified true copy of the certificate of appointment issued by the Master in terms of the Insolvency Act; or
 - (cc) is a company or close corporation and such holder is liquidated and a liquidator has been appointed, a certified true copy of the certificate of appointment issued by the Master in terms of the Companies Act or the Close Corporations Act, as the case may be; and
 - (vi) the appropriate fee prescribed in Part 187.

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Revocation of registration and de-registration of aircraft

47.03.3 (1) An aircraft remains registered on the register until the registration of that aircraft is revoked or the aircraft is de-registered by the Executive Director.

(2) The Executive Director must -

(a) revoke the registration of an aircraft, amend the aircraft register and issue a certificate of revocation -

(i) on receipt of an application for revocation made pursuant to regulation 47.03.1(1);

(ii) if the certificate of registration becomes invalid by virtue of regulation 47.03.1(6); or

(iii) if the Executive Director is satisfied of the occurrence of any of the events referred to in subregulation (3); or

(b) de-register an aircraft, amend the aircraft register and issue a certificate of de-registration if an application is made for such de-registration pursuant to regulation 47.03.2(1) or (3).

(3) The Executive Director may revoke the registration of an aircraft, amend the aircraft register and issue a certificate of revocation, if the holder of the certificate of registration -

(a) has not submitted the maintenance records of the aircraft for a period of three months;

(b) has not paid any fees that are payable to the Authority under the Act or these regulations for a period of three months;

(c) has submitted an application for registration which does not comply with these regulations and the registration was erroneously placed in the aircraft register; or

(d) has not complied with the duties of a holder of the certificate prescribed in regulation 47.02.3.

(4) A certificate of revocation or de-registration referred to in subregulation (2) is issued on the appropriate form set out in Document NAM-CATS-ARM.

Duration of certificate of registration

47.03.4 (1) A certificate of registration remains valid until -

(a) it has been invalidated in terms of regulation 47.03.1(6); or

(b) the registration of the aircraft is suspended or revoked or the aircraft is de-registered by the Executive Director.

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(2) The holder of a certificate of registration which has become invalid in terms of this Part, must surrender the certificate of registration immediately to the Executive Director for the appropriate endorsement.

SUBPART 4
NAMIBIA REGISTER OF AIRCRAFT**Namibia Register of aircraft**

47.04.1 (1) The Executive Director must, pursuant to section 50 of the Act, establish and maintain or cause to be maintained the aircraft register.

(2) The Executive Director must enter or cause to be entered the following particulars into the aircraft register:

- (a) The full name and, if any, the trade name of the holder of the certificate of registration;
- (b) the postal address of the holder of the certificate of registration;
- (c) the date on which the aircraft was registered on the register for the first time;
- (d) the date on which the aircraft was registered in the name of the holder;
- (e) particulars of the manufacturer's designation, serial number and maximum certificated mass of the aircraft;
- (f) the nationality and registration marks of the aircraft; and
- (g) the airworthiness category of the aircraft.

(3) The Executive Director must, on written request and on payment of the appropriate fee prescribed in Part 187, furnish an extract of the aircraft register to any person who may request such an extract.

Notice of error in information in aircraft register

47.04.2 If the holder of a certificate of registration for an aircraft finds out that anything in the aircraft register in relation to the aircraft is no longer correct, the holder must inform the Executive Director in writing within 14 days after establishing the information about the change that must be made.

Reservation of registration mark

47.04.3 (1) Subject to subregulations (3) and (4), the Executive Director may, on application made to him or her, reserve a registration mark for a period not exceeding 12 months after the day on which the registration mark was reserved.

(2) An application referred to in subregulation (1) may be made by a person who intends to register an aircraft in the aircraft register, and the application must be -

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

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(b) accompanied by the appropriate fee as prescribed in Part 187.

(3) A registration mark may not be reserved if it is currently in use on another registered aircraft.

(4) The Executive Director may refuse to reserve a registration mark, if the Executive Director considers use of the registration mark to be undesirable.

(5) A registration mark that has been reserved may not, while reserved, be allocated to an aircraft as a registration mark otherwise than at the request of the person on whose request the registration mark was reserved.

Identifiable paint schemes and markings

47.04.4 (1) The Executive Director may, on application made to him or her for the registration of an identifiable paint scheme and markings by the holder of a certificate of registration for an aircraft, grant the application and register the paint scheme and markings.

(2) An application referred to in subregulation (1) must -

(a) be made in the appropriate form set out in Document NAM-CATS-ARM;

(b) contain the following particulars:

(i) the registration mark allocated to the aircraft by the Executive Director;

(ii) a written description of the particular paint scheme and markings of the aircraft;

(iii) a three-view set of photographs that clearly show the paint scheme and all relevant markings of the aircraft; and

(iv) such further particulars relating to the aircraft and the holder of the certificate of registration as may be required by the Executive Director; and

(c) be accompanied by the appropriate fee as prescribed in Part 187.

(3) The Executive Director may register an identifiable paint scheme and markings, if the scheme is acceptable to the Executive Director as being sufficiently clear and unique to distinguish the aircraft from other aircraft of the same or similar type and model.

(4) A person intending to change a registered identifiable paint scheme and markings must apply for registration of the new scheme and markings in accordance with regulation 47.04.5 and the Executive Director may request for further information in relation to such an application.

[The word “for” after the word “request” is superfluous.]

(5) If the Executive Director reasonably requires further information to enable him or her to consider an application for the registration of the scheme and markings, the Executive Director may request the applicant, in writing, to provide that information, and the Executive Director must describe the required information in the request.

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(6) The Executive Director may refuse to consider or may cease considering, the application for the registration of the scheme and markings until the applicant complies with the request made under subregulation (5).

Change of identifiable paint scheme and markings

47.04.5 (1) The holder of a certificate of registration for an aircraft displaying an identifiable paint scheme and markings approved under regulation 47.04.4 who intends to change the paint scheme or markings must apply for approval of a new paint scheme and markings in terms of that regulation.

(2) The holder of a certificate of registration for an aircraft displaying an identifiable paint scheme and markings approved under subregulation (1) who intends to discontinue the display of the paint scheme and markings must -

- (a) notify the Executive Director in writing accordingly; and
- (b) mark the aircraft in accordance with regulation 47.04.4.

Destruction, loss, theft, withdrawal from use or foreign registration of aircraft

47.04.6 (1) The holder of a Namibian certificate of registration must -

- (a) within 14 days after becoming aware that the aircraft is -
 - (i) destroyed, lost or stolen; or
 - (ii) permanently withdrawn from use; or
- (b) immediately upon the application for registration of the aircraft on the aircraft register of any other country,

notify the Executive Director in accordance with subregulation (2).

- (2) A notification under subregulation (1) must -
 - (a) be made in writing;
 - (b) be signed by the certificate holder;
 - (c) set out the circumstances of what has occurred; and
 - (d) be accompanied by the certificate of registration.

Currency of information in certificate

47.04.7 (1) The holder of a Namibian certificate of registration must notify the Executive Director, as soon as possible, of any change that affects the current status of any information contained in the certificate.

(2) If, after receiving a notification under subregulation (1), the Executive Director amends or revokes the certificate of registration and issues a new certificate in its place in

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accordance with the Act, the Executive Director must update the relevant particulars in the aircraft register.

Registration of identifiable paint scheme and markings

47.04.8 The identifiable paint scheme and markings approved under regulation 47.04.4 or 47.04.5 must be entered in the aircraft register in accordance with regulation 47.04.1.

Change of registration mark

[This regulation is incorrectly numbered here; it should be “47.04.9”
as it appears in the LIST OF REGULATIONS.]

47.05.9 (1) The holder of a Namibian certificate of registration may apply to the Executive Director for a new registration mark to replace the mark allocated to the aircraft specified in the certificate.

(2) The applicant for a change of registration mark must apply in the appropriate form set out in Document NAM-CATS-ARM and submit to the Executive Director -

- (a) the certificate of registration;
- (b) the registration mark sought; and
- (c) payment of the appropriate fee prescribed in Part 187.

(3) On receiving an application under subregulation (2), the Executive Director may revoke the registration mark allocated to the aircraft and allocate the new registration mark.

(4) On allocation of a new registration mark under subregulation (3), the Executive Director must enter in the aircraft register, the particulars of the new registration mark allocated to the aircraft.

Marks to be on foreign registered aircraft in Namibian territory

47.04.10 A person may operate a foreign registered aircraft in Namibian territory only if the aircraft bears its nationality and registration marks in accordance with the law of the country in which it is registered.