

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

PART 98
RULES OF THE AIR AND GENERAL OPERATING RULES:
OPERATION OF POWERED PARAGLIDERS

LIST OF REGULATIONS

SUBPART 1: GENERAL

- 98.01.1 Applicability
- 98.01.2 Pilot qualifications

SUBPART 2: OPERATING RULES

- 98.02.1 Airworthiness
- 98.02.2 Certificate of fitness
- 98.02.3 Maintenance and inspection requirements

SUBPART 3: FLIGHT RULES

- 98.03.1 Right of way
- 98.03.2 Flight plan
- 98.03.3 Clearance from cloud and maximum altitude
- 98.03.4 Minimum altitude
- 98.03.5 Launch sites
- 98.03.6 Flight criteria

SUBPART 4: EQUIPMENT AND INSTRUMENTS

- 98.04.1 Equipment
- 98.04.2 Protective headgear

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

SUBPART 1
GENERAL

Applicability

- 98.01.1** This Part shall apply to the operation of powered paragliders and contains -
- (a) in addition to the provisions of the regulations in Part 91, the operating and flight rules relating to such operations; and
 - (b) the exceptions to the general operating and flight rules prescribed in Part 91.

Pilot qualifications

- 98.01.2** Any person operating a powered paraglider shall -
- (a) be the holder of a valid powered paraglider pilot licence or certificate issued by the body or institution designated by the Director in terms of Part 149;
 - (b) be the holder of at least a valid class 3 medical certificate
- [A semicolon appears to be missing at the end of paragraph (b).]
- (c) comply with the competency requirements prescribed by such designated body or institution for the holder of a powered paraglider pilot licence or certificate;
 - (d) comply with the privileges and limitations of a powered paraglider pilot licence or certificate issued by such designated body or institution;
 - (e) be a *bona fide* member of an aviation recreation organisation approved by the Director in terms of Part 149; and
 - (f) comply with the standards and procedures determined by such approved aviation recreation organisation.

SUBPART 2
OPERATING RULES

Airworthiness

- 98.02.1** No person shall operate a powered paraglider unless such powered paraglider and its suspension system -
- (a) comply with the airworthiness requirements determined by the body or institution designated by the Director in terms of Part 149; and
 - (b) are in an airworthy condition before the commencement of each flight.

Certificate of fitness

- 98.02.2** Notwithstanding the provisions of regulation 91.03.7, a person may operate a powered paraglider if the powered paraglider has a certificate of fitness issued by a person who is authorised by the body or institution designated by the Director in terms of Part 149.

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

Maintenance and inspection requirements

98.02.3 (1) The pilot of a powered paraglider shall ensure that the powered paraglider is in an airworthy condition before the commencement of each flight.

- (2) The owner of the powered paraglider shall -
- (a) take such action as is necessary to ensure the continued airworthiness of the powered paraglider concerned; and
 - (b) maintain the powered paraglider as may be necessary.

SUBPART 3 **FLIGHT RULES**

Right of way

98.03.1 Notwithstanding the provisions of regulation 91.06.7(5), a pilot of a powered paraglider overtaking another powered paraglider soaring from a ridge, shall pass on the right side of the overtaken powered paraglider.

Flight plan

98.03.2 Notwithstanding the provisions of regulation 91.03.4, the pilot of a powered paraglider may fly under VFR without submitting a flight plan.

Clearance from cloud and maximum altitude

98.03.3 Notwithstanding the provisions of regulation 91.06.21, a pilot may fly a powered paraglider -

- (a) to 500 feet vertically below cloud up to a maximum altitude of 10 000 feet above MSL in Class G airspace; or
- (b) to 500 feet vertically below cloud up to a maximum altitude of 10 000 feet above MSL in Class E airspace other than transponder-mandatory airspace.

Minimum altitude

98.03.4 The pilot of a powered paraglider may fly the powered paraglider below 500 feet AGL, for the purpose of ridge soaring, if such powered paraglider is flown in a manner that does not cause nuisance to persons, property, animals or birds on the ground.

Launch sites

98.03.5 No pilot of a powered paraglider, shall launch the powered paraglider from a launch site other than an approved launch site.

Flight criteria

98.03.6 All powered paraglider operations shall be conducted -

REGULATIONS
Civil Aviation Act 6 of 2016

Namibian Civil Aviation Regulations, 2001

- (a) by day;
- (b) in meteorological conditions equal to, or better than, those prescribed as suitable for VFR flight unless otherwise approved by the Director.

SUBPART 4
EQUIPMENT AND INSTRUMENTS

Equipment

98.04.1 Notwithstanding the provisions of the regulations in Subpart 4 of Part 91, no person may operate a powered paraglider unless the powered paraglider is equipped with the equipment as prescribed in Document NAM-CATS-OPS 98.

Protective headgear

98.04.2 Each pilot and passenger of a powered paraglider shall wear serviceable rigid protective headgear authorised by the body or institution designated by the Director in terms of Part 149.