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**GOVERNMENT NOTICE**

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**DEPARTMENT OF TRANSPORT****No. R. 6****10 January 2006****AVIATION ACT, 1962 (ACT NO 74 OF 1962)****PROPOSED AMENDMENT TO THE CIVIL AVIATION  
REGULATIONS, 1997**

Under regulation **11.03.2 (1)(a)** of the Civil aviation Regulations, the **Chairperson** of the **Civil Aviation Regulations Committee**, hereby publishes comment the proposed amendments to the Civil Aviation Regulations, **1997**, as set out in the schedules. Any comments or representations on the proposed amendments should be lodged in **writing** with the **Chairperson of the Regulations Committee**, for attention **Mr Jabulani Mashinini** or **Mr. Herman Wildenboer**, Private **Bag X73**, Halfway House, **1685**. Fax number: **(011) 545-1452**, and e-mail-addresses: '**mashininij@caa.co.za** or **wildenboerh@caa.co.za**, before or on **11 February 2006**

**SCHEDULE 1****PROPOSER**

**Civil Aviation Authority**  
Private **Bag X73**,  
Halfway House  
**1685**

(The proposals contained *in* Schedules 1 to 17 emanate **from** the said Authority)

**Explanation of Interest of the Proposer**

The proposer administers the Aviation Act, **1962**, (Act No **74** of **1962**) and Regulations and Technical Standards issued in terms thereof

## 10 PROPOSAL FOR THE AMENDMENT OF REGULATION 21.08.2 OF PART 21 OF THE REGULATIONS

### 1.1 Proposed amendment of regulation 21.08.2( Application for certificate of airworthiness or amendment thereof) of the Regulations by the addition of sub-regulation <@:

“as maintenance and avionics inspectors of the Authority are to be factory trained on a new type of aircraft prior to the issue of the certificate of airworthiness, the costs for the training ,including transport and subsistence, shall be for the account of the importer.”.

### 2.1 MOTIVATION

This requirement is in line with the ICAO minimum requirements as per ICAO Annex1- chapter 1, paragraph 1.2.8)

### 2.2 CURRENT REGULATION

Does not exist

## SCHEDULE 2

## 2.0 PROPOSAL FOR THE INSERTION OF REGULATION 66.01.14 INTO PART 66 OF THE REGULATIONS

### 2.1 Proposed insertion of regulation 66.01.14(Logbooks) of the Regulations

“ **66.01.14(1)** Any Person training under any aircraft trade or a holder of an AME licence shall maintain a logbook and shall record therein all work carried out on aircraft and its components.

- (1) The form of and information to be contained in a logbook referred to in sub-regulation 66.01.14 (1), and the manner in which such logbook shall be maintained, shall be as prescribed in SA-CATS-AMEL.
- (2) No alterations would be allowed on a logbook by this Authority (SACAA) **once** a designated person has signed it **off**, thus, entries should be entered with extra care.”.

### 2.2 MOTIVATION

It has been discovered that, we do not have a regulation that covers logbooks, thus we felt that a regulation be introduced to protect logbooks. With this regulation in place, we would not need an AIC to be protecting logbooks, for logbooks carry your life as an AME person. Therefore they need to be monitored by this Authority.

## 2.3 CURRENT REGULATION

Does not exist

## SCHEDULE 3

### 3.0 PROPOSAL FOR THE INSERTION OF REGULATION 66.01.15 INTO PART 66 OF THE REGULATIONS

3.1 Proposed insertion of regulation 66.01.15( Oral Knowledge Examination )

**66.01.15(1)** An applicant for the issuing of an AME licence with a category rating, who *can* not write, shall have passed the appropriate Oral examination **as** prescribed in Document SA-CATS-AMEL.

- (2) **An** applicant who fails the Oral Examination referred to in **sub** regulation **(1)** may apply for retesting after the appropriate period specified in Document SA-CATS-AMEL.

## 3.2 MOTIVATION

A need exists for providing an applicant who can not write, the opportunity to undergo **an** oral examination.

## 3.3 CURRENT REGULATION

Does not exist

## SCHEDULE 4

### 4.0 PROPOSAL FOR THE AMENDMENT OF REGULATION 66.02.9 OF PART 66 OF THE REGULATIONS

4.1 Proposed amendment of regulation 66.02.9 (Renewal of licence)

**“66.02.9 (1)**To renew a class II aircraft maintenance engineer licence with a category A rating, the holder thereof shall, within the 24 months preceding the date of expiry of the licence, have exercised the privileges of the licence for not less than **six** months **as**:

- (a) a licensed aircraft maintenance engineer on that rating;  
(b) supervised the maintenance of aircraft relevant to the ratings held **in** an executive capacity; or

- (c) performed a technical training function relevant to the ratings held in a certificated training organization.”

#### 4.2 MOTIVATION

It ~~has~~ been discovered that the regulation in place does not clearly define what is required ~~from~~ people holding AME licences and senior personnel holding licences to keep them valid.

#### 4.3 CURRENT REGULATION

“**66.02.9 (1)** To renew a Class II aircraft maintenance engineer licence ~~with~~ a category **A** rating, the holder thereof, shall, within the **24** months preceding the date ~~of~~ expiry of the licence, have served for no less than ~~six~~ months ~~as~~ a licensed aircraft maintenance engineer or ~~as an~~ aircraft maintenance engineer in a supervisory capacity.”

#### SCHEDULE 5

### 5.0 PROPOSAL FOR THE AMENDMENT OF REGULATION 66.03.9 OF PART 66 OF THE REGULATIONS

#### 5.1 Proposed amendment of regulation 66.03.9 (Renewal of licence)

“**66.03.9 (1)** To renew a class II aircraft maintenance engineer licence with a category **C** rating, the holder thereof shall, within the 24 months preceding the date of expiry of the licence, have exercised the privileges of the licence for not less than ~~six~~ months as

- (a) a licensed aircraft maintenance engineer on that rating;
- (b) supervised the maintenance of aircraft relevant ~~to the~~ ratings held in an executive capacity; or
- (c) performed a technical training function relevant to the ratings held in a certificated training organization.”

#### 5.2 MOTIVATION

It ~~has~~ been discovered that the regulation in place does not clearly define what is required ~~from~~ people holding AME licences and senior personnel holding licences to keep them valid.

#### 5.3 CURRENT REGULATION

“**66.03.9 (1)** To renew a Class II aircraft maintenance engineer licence with a category **C**

rating, the holder thereof, shall, within the 24 months preceding the date of expiry of the licence, have served for no less than **six** months as a licensed aircraft maintenance engineer or **as** an aircraft maintenance engineer in a supervisory capacity.”

## **SCHEDULE 6**

### **6.0 PROPOSAL FOR THE AMENDMENT OF REGULATION 66.04.9 OF PART 66 OF THE REGULATIONS**

#### **6.1 Proposed amendment of regulation 66.04.9 (Renewal of licence)**

“**66.04.9** (1) To renew a class II aircraft maintenance engineer licence with a category **A** rating, the holder thereof shall, within the 24 months preceding the date of expiry of the licence, have exercised the privileges of the licence for not less than **six** months as

- (a) **a** licensed aircraft maintenance engineer **on** that rating;
- (b) supervised the maintenance of aircraft relevant to the ratings held in an executive capacity; or
- (c) performed a technical training **function** relevant to the ratings held in a certificated training organization.”

#### **6.2 MOTIVATION**

It **has** been discovered that the regulation in place does not clearly define what is required from people holding AME licences and senior personnel holding licences to **keep** them valid.

#### **6.3 CURRENT REGULATION**

“**66.04.9** (1) To renew a Class II aircraft maintenance engineer licence with a category **A** rating, the holder thereof, shall, within the **24 months** preceding the date of expiry of the licence, have served for no less than **six** months **as a licensed** aircraft maintenance engineer or **as an** aircraft maintenance engineer in a supervisory capacity.”

## **SCHEDULE 7**

### **7.0 PROPOSAL FOR THE AMENDMENT OF REGULATION 66.05.9 OF PART 66 OF THE REGULATIONS**

#### **7.1 Proposed amendment of regulation 66.05.9 (Renewal of licence)**

**“66.05.9 (1)** To renew a class I aircraft maintenance engineer licence with a category B rating, the holder thereof shall, within the **24** months preceding the date of expiry of the licence, have exercised the privileges of the licence for not less than six months as

- (a) a licensed aircraft maintenance engineer on that rating;
- (b) supervised the maintenance of aircraft relevant to the ratings held in an executive capacity; or
- (c) performed a technical training function relevant to the ratings held in a certificated training organization.”

## **7.2 MOTIVATION**

It has been discovered that the regulation in place does not clearly define what is required from people holding AME licences and senior personnel holding licences to keep them valid.

## **7.3 CURRENT REGULATION**

**“66.05.9 (1)** To renew a Class I aircraft maintenance engineer licence with a category B rating, the holder thereof, shall, within the **24** months preceding the date of expiry of the licence, have served for no less than six months as a licensed aircraft maintenance engineer or as an aircraft maintenance engineer in a supervisory capacity.”

## **SCHEDULE 8**

### **8.0 PROPOSAL FOR THE AMENDMENT OF REGULATION 66.06.9 OF PART 66 OF THE REGULATIONS**

#### **8.1 Proposed amendment of regulation 66.06.9 (Renewal of licence)**

**“66.06.9 (1)** To renew a class I aircraft maintenance engineer licence with a category D rating, the holder thereof shall, within the **24** months preceding the date of expiry of the licence, have exercised the privileges of the licence for not less than six months as

- (a) a licensed aircraft maintenance engineer on that rating;
- (b) supervised the maintenance of aircraft relevant to the ratings held in an executive capacity; or
- (c) performed a technical training function relevant to the ratings held in a certificated training organization.”

## 8.2 MOTIVATION

It has been discovered that the regulation in place does not clearly define what is required from people holding AME licences and senior personnel holding licences to keep them valid.

## 8.3 CURRENT REGULATION

**“66.06.9 (1)** To renew a Class I aircraft maintenance engineer licence with a category D rating, the holder thereof, shall, within the 24 months preceding the date of expiry of the licence, have served for no less than six months as a licensed aircraft maintenance engineer or as an aircraft maintenance engineer in a supervisory capacity.”

## SCHEDULE 9

### 9.0 PROPOSAL FOR THE AMENDMENT OF REGULATION 66.07.9 OF PART 66 OF THE REGULATIONS

#### 9.1 Proposed amendment of regulation 66.07.9 (Renewal of licence)

**“66.07.9 (1)** To renew a class I aircraft maintenance engineer licence with a category X rating, the holder thereof shall, within the 24 months preceding the date of expiry of the licence, have exercised the privileges of the licence for not less than six months as a licensed aircraft maintenance engineer on that rating;

- (a) supervised the maintenance of aircraft relevant to the ratings held in an executive capacity; or
- (b) performed a technical training function relevant to the ratings held in a certificated training organization.”

#### 9.2 MOTIVATION

It has been discovered that the regulation in place does not clearly define what is required from people holding AME licences and senior personnel holding licences to keep them valid.

#### 9.3 CURRENT REGULATION

**“66.07.9 (1)** To renew a Class I aircraft maintenance engineer licence with a category X rating, the holder thereof, shall, within the 24 months preceding the date of expiry of the licence, have served for no less than six months as a licensed aircraft

maintenance engineer or as an aircraft maintenance engineer in a supervisory capacity.”

## SCHEDULE 10

### 10.0 PROPOSAL FOR THE AMENDMENT OF REGULATION 67.00.14 OF PART 66 OF THE REGULATIONS

#### 10.1 Proposed amendment of regulation 67.00.14( Suspension ,withdrawal and cancellation of a medical certificate)

##### “Suspension, withdrawal or cancellation of a medical certificate

- 67.00.14** (1)The Commissioner reserves the right to suspend, withdraw or cancel a medical certificate should the holder be in breach of the regulations as stipulated in 67.00.09
- (2) Further to 67.00.9, the Commissioner may suspend or withdraw a medical certificate if reasonable doubt/suspicion exists that the holder poses a **risk** to aviation safety by being in breach of the afore-mentioned regulations
- (3) Following such doubt or suspicion in (2) above the Commissioner shall:
- e. inform the holder of such existing doubt
  - d. recorded telephonic conversations, e-mail, fax ,postages to the holder’s address **as** appears on record and any other recognised means of communication shall be accepted as the holder being informed of the decision
  - e. give the holder an opportunity to present his/her case before the Commissioner, either in person, in representation or in writing within seven (7) working days of notification
  - f. except in (c) above, the Commissioner reserves the right to shorten the notification period if he deems it to be in the interests of aviation safety
  - g. failure to respond to such notification shall lead to an indefinite suspension of such license until the holder responds to such notification
  - h. in cases of (e) above, sufficient evidence shall be given for the failure to respond
  - i. require the holder to undertake at his/her expense any examinations and investigations (which may include, but are not limited to, blood tests, urine tests, stool tests) as deemed appropriate and necessary by the Commissioner
  - j. reserve the right to refer the holder to any specialty of the Commissioner’s choosing, for the purposes of (g) above
- (4)The Commissioner **may** take whatever other steps necessary to investigate any allegations of Risks to aviation safety
- (5) The Commissioner may, after due consideration of all facts, impose a fine in accordance with **Part** 187, suspend, withdraw or-cancel a medical certificate.
- (6) Suspicion of being in contravention of Chapter XI, Section 5 of the National Road Traffic Act, 1996(Act No. (3 of 1996), or any other Acts and regulations pertaining

to medical facts which may threaten or compromise aviation safety shall result in a fine in accordance with ~~Part~~ 187, temporary or permanent cancellation of a medical certificate as the Commissioner sees fit.”.

## 10.2 MOTIVATION

- (1) Although “duties of holder of medical certificate” appears in the regulations **as** 67.00.9, there is **no** penalty system attached to the regulation
- (2) It is imperative that the Commissioner be able to suspend, withdraw or cancel a medical certificate if the holder is in breach of the regulations and poses a risk to aviation safety
- (3) The current legislation assumes that the holder has or will disclose all **medical facts**

## 10.3 CURRENT REGULATION

~~Does~~ not exist

## SCHEDULE 11

### 11.0 PROPOSAL FOR THE AMENDMENT OF REGULATION 91.04.31 OF PART 91 OF THE REGULATIONS

#### 11.1 Proposed amendment of regulation 91.04.31 (Airborne Collision Avoidance System) by the addition of sub-regulations (3) and (4)

“(3) From 1 January 2005, all turbine-engined aeroplanes of maximum certificated take-off mass in excess of 5,700kg or authorized to carry more than 19 passengers shall be equipped with an airborne collision avoidance system (ACAS II).

(4) ~~An~~ airborne avoidance system shall operate in accordance with the relevant provisions of Annex 10 (Volume IV).”.

#### 11.2 MOTIVATION

Confusion has **been** created by the inclusion of the words “commercial air transport” in regulation 121.05.15(1) which also relates to ACAS and which do not appear in the relevant ICAO Annex.

#### 11.3 CURRENT REGULATIONS

Do not exist

## SCHEDULE 12

### 12.0 PROPOSAL FOR THE AMENDMENT OF REGULATION 121.05.15 OF PART 121 OF THE REGULATIONS

#### 12.1 Proposed amendment of regulation 121.05.15 (Airborne Collision Avoidance System)

“(1)(a) **As** from I July 2003, all turbine-engined aeroplanes of maximum certificated take-off mass in excess of 15,000kg or authorized to carry more than 30 passengers shall be equipped with an airborne collision avoidance system (ACAS II).

(b) **As** from I January 2005, all turbine-engined aeroplanes of maximum certificated take-off mass in excess of 5,700kg or authorized to carry more than 19 passengers shall be equipped with an airborne collision avoidance system (ACAS II).”.

#### 12.2 MOTIVATION

Confusion has been created by the inclusion of the words “commercial air transport” in regulation 121.05.15(1) which do not appear in the relevant ICAO Annex

#### 12.3 CURRENT REGULATION

“(1)(a) **As** from I July 2003, the operator of a turbine-engine commercial air transport aeroplane with a maximum certificated take-off mass in excess of 15,000kg or with a maximum approved passenger seating configuration in excess of thirty(30) passengers or

(b) **As** from I January 2005, the operator of a turbine-engine commercial air transport aeroplane of a maximum certificated take-off mass in excess of 5,700kg or with a maximum approved passenger seating configuration in excess of nineteen (19) passengers;

shall not operate the aeroplane unless such aeroplane is equipped with a serviceable airborne collision avoidance system (ACAS) meeting ACAS II specifications as prescribed in Document SA-CATS-OPS 121.”.

### SCHEDULE 13

#### 13.0 PROPOSAL FOR THE AMENDMENT OF REGULATION 121.06.4 OF PART 121 OF THE REGULATIONS

##### 13.1 Proposed amendment of regulation 121.06.4 (1) (Period of validity of operating certificate) “

“121.06.4(1) An operating certificate shall be valid for such period as may be determined by the Commissioner.”.

##### 13.2 MOTIVATION

To enable the Commissioner to approve a period longer than one year to enable larger operators who require, because of their size, a number of inspections, phased over a period, to continue their operations.

##### 13.3 CURRENT REGULATION

“121.06.4(1) An operating certificate shall be valid for such period as **may** be determined by the Commissioner: Provided that such period shall not exceed a period of 12 months for the date of issue thereof.”

### SCHEDULE 14

#### 14.0 PROPOSAL FOR THE AMENDMENT OF REGULATION 127.06.4 OF PART 121 OF THE REGULATIONS

##### 14.1 Proposed amendment of regulation 127.06.4 (Period of validity of operating certificate)

“127.06.4(1) An operating certificate shall be valid for such period as may be determined by the Commissioner.”.

##### 14.2 MOTIVATION

To enable the Commissioner to approve a period longer than one year to enable larger operators who require, because of their size, a number of inspections, phased over a period, to continue their operations.

**14.3 CURRENT REGULATION**

**“127.06.4(1) An** operating certificate shall be valid for such period as may be determined by the Commissioner: Provided that such period shall not exceed a period of **12 months** for the date **of** issue thereof.”

**SCHEDULE 15****15.0 PROPOSAL FOR THE AMENDMENT OF REGULATION 135.06.4 OF PART 121 OF THE REGULATIONS****15.1 Proposed amendment of regulation 135.06.4 (Period of validity of operating certificate)**

**“135.06.4(1) An** operating certificate shall be valid for such period as may be determined by the Commissioner.”.

**15.2 MOTIVATION**

To enable the Commissioner to approve a period longer than one year to enable larger operators who require, because of their size, a number of inspections, phased over a period, to continue their operations.

**15.3 CURRENT REGULATION**

**“135.06.4(1) An** operating certificate shall be valid for such period as may **be** determined by the Commissioner: Provided that such period shall not exceed a period of 12 months for the date **of** issue thereof.”

**SCHEDULE 16****16.0 PROPOSAL FOR THE INSERTION OF PART 136 INTO THE REGULATIONS**

**16.1 Proposed insertion of Part 136 (Commercial Operation of ~~Free~~ Air Balloons)****Air Transport Operations – Commercial Operation of Free Air Balloons****SUBPART 1: GENERAL,**

<b>136.01.1</b> Applicability .....	<b>PART 136</b>
<b>136.01.2</b> Drunkenness .....	<b>PART 136</b>
<b>136.01.3</b> Dry lease-in of small commercial air transport Balloon .....	<b>PART 136</b>
<b>136.01.4</b> Wet lease-in of small commercial air transport balloon .....	<b>PART 136</b>
<b>136.01.5</b> Dry lease-out of small commercial air transport balloon .....	<b>PART 136</b>
<b>136.01.6</b> Wet lease-out of small commercial air transport balloon .....	<b>PART 136</b>
<b>136.01.7</b> Leasing of small commercial air transport balloon between two South African Operators.....	<b>PART 136</b>
<b>136.01.8</b> Sub chartering .....	<b>PART 136</b>
<b>136.01.9</b> Preservation of documents.....	<b>PART 136</b>

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136.04.3 Balloon operating manual.....	PART 136
136.04.4 Balloon flight manual.....	PART 136
136.04.7 Records of emergency and survival equipment.....	PART 136
136.04.8 Flight crew member training records.....	PART 136
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#### **SUBPART 5: BALLOON INSTRUMENTS AND EQUIPMENT**

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#### **SUBPART 6: OPERATING CERTIFICATE**

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136.06.2 Application for operating certificate.....	PART 136
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136.06.4 Period of validity of operating certificate.....	PART 136
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#### **SUBPART 1: GENERAL**

<b>136.01.1</b> Applicability .....	<b>PART 136</b>
<b>136.01.2</b> Drunkenness .....	<b>PART 136</b>
<b>136.01.3</b> Dry lease-in of small commercial air transport Balloon .....	<b>PART 136</b>
<b>136.01.4</b> Wet lease-in of small commercial air transport balloon .....	<b>PART 136</b>
<b>136.01.5</b> Dry lease-out of small commercial air transport balloon .....	<b>PART 136</b>
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<b>136.01.7</b> Leasing of small commercial air transport balloon between two South African Operators .....	<b>PART 136</b>
<b>136.01.8</b> Sub chartering .....	<b>PART 136</b>
<b>136.01.9</b> Preservation of documents .....	<b>PART 136</b>

## Applicability

**136.01.1** (1) This part shall apply to –

- (a) Free balloons engaged in commercial air transport operations within the Republic;
- (b) Persons acting as flight crew members of a free balloon registered in the Republic; **and**
- (c) Persons who are **on** board a **free** balloon operated under this **part**.

(2) For the purposes of this part, a free balloon registered in another State and operated by the holder of an operating certificate issued in the Republic, shall be deemed to be registered in the Republic.

(3) The provisions of Part 91 shall *mutatis mutandis* apply to any free balloon operated in terms of this part.

## Intoxication

**136.01.2(1)** The operator of a free balloon shall not permit, and no person shall enter or be in, a free balloon while under the influence of alcohol or a drug having a narcotic effect, to the extent where the safety of such balloon or its occupants is, or is likely to be, endangered.

(2) The operator shall establish procedures to ensure that any person referred to in sub regulation (1) is –

- (a) refused embarkation; or
- (b) if such person is on board, restrained or disembarked.

## Dry lease-in of free balloons

**136.01.3(1)** An operator who intends to ~~dry~~ lease-in a free balloon for commercial air transport purposes, shall –

- (a) Ensure that such balloon can be operated and is operated in accordance with the requirements prescribed in this Part;
- (b) Obtain prior approval from the Commissioner to operate such balloon.

(2) The ~~approval referred to in sub regulation (1)(b)~~ shall, subject to such conditions as the Commissioner may determine, be granted if such balloon is –

- (a) Type certificated in accordance with the requirements prescribed in ~~Part~~ 21;
- (b) Maintained in accordance with a balloon maintenance schedule referred to in regulation **136.09**;
- (c) Operated under the operating certificate held by the operator referred to in sub-regulation (1),

(3) The conditions of approval referred to in sub-regulation (2) shall be **part** of the lease agreement between the operator referred to in sub-regulation (1) and ~~the~~ operator from ~~which~~ the balloon is leased.

#### Wet lease-in of free balloons

- ~~136.01.4(1)~~ **An** operator who intends to wet lease-in a foreign registered **free** balloon for commercial air transport purposes shall, subject to such conditions as the Commissioner may determine, obtain prior approval from the Commissioner to operate such balloon.
- ~~(1)~~ ~~The duration of the lease agreement concerned~~ shall be limited to a maximum period of six calendar months in one year.
- (3) The approval referred to in sub-regulation (1) shall, subject to such conditions as the Commissioner may determine, be granted if such balloon –
- (a) Is wet leased-in from an operator who is the holder of an operating certificate or similar document issued by an appropriate authority;
  - (b) has been type certificated by the appropriate authority;
  - (c) holds a valid certificate of airworthiness or similar document issued by such appropriate authority;
  - (d) is maintained and operated in accordance with safety standards at least equivalent to the safety standards referred to in this **Part**; and
  - ~~(e) will be operated in terms of the operating certificate or similar document held by the operator referred to in paragraph (a).~~
- (4) The operator referred to in sub-regulation (1) shall –
- (a) satisfy the Commissioner that the safety standards of the lesser are not less than the safety standards referred to in this Part;
  - (b) ensure that any law applicable to the balloon to be wet leased-in, the maintenance or operation thereof, is complied with.
- ~~(5)~~ ~~The total number of wet leased-in balloons shall be such that an operator referred to in sub-regulation (1) will not be predominantly dependent on foreign registered balloons.~~
- (6) The conditions of approval referred to in **sub** regulation (1) shall be part of the lease agreement between the operator referred to in **sub** regulation (1) and the operator **from** which the foreign registered balloon is leased.

### **Dry lease-out of commercial air transport balloons**

**136.01.5 (1)** Subject to the provisions of sub regulation (2), the operator of a South African registered balloon may dry lease-out the balloon to any operator in a contracting State.

(2) **On** request of the operator of a South African registered balloon, the Commissioner may exempt the operator from the applicable provisions of this part and remove the balloon from the operating certificate held by such operator: Provided that –

- (a) the appropriate authority of the State **of** the Operator to which such balloon is dry leased has accepted, in writing, responsibility for surveillance of the maintenance and operation of such balloon; and
- (b) such balloon is maintained according to an approved maintenance programme.

### **Wet lease-out of commercial air transport balloons**

**136.01.6** The operator of a South African registered balloon who intends to wet lease-out the balloon to any operator, other than an operator of a contracting State, shall remain the operator of the balloon for the purposes of subpart 6, and responsibility for surveillance of the maintenance and operation of such balloon shall not be transferred to the appropriate authority of the State of the Operator to which such balloon is wet leased-out.

### **Leasing of a commercial air transport balloon between two South African operators**

**136.01.7 (1)** A South African operator who intends to lease out a balloon and complete crew to another South African operator, shall remain the operator of the balloon and shall retain the functions and responsibilities prescribed in subpart 6.

(2) A South African operator, intending to utilise a balloon leased from, or to lease it to, another South African operator shall obtain prior approval from the Commissioner for the operation, and the conditions of approval shall be part of the lease agreement between the operators.

(3) The terms of an approved lease agreement, other than an agreement in terms of which a balloon together with crew is leased, and where no transfer of functions and responsibilities is intended, shall include –

- (a) the arrangement concerning the operating certificate under which the flights with the leased balloon shall be operated; and
- (b) any deviation from the operating certificate under which the flights with the leased balloon shall be operated.

**Sub chartering**

**136.01.8** (1) In the exceptional circumstances as prescribed in Document **SA-CATS-OPS 136**, an operator may sub charter a balloon and crew from any operator who holds a valid operating certificate for the balloon, issued by an appropriate authority: Provided that –

- (a) the sub charter period does not exceed five consecutive days; and
- (b) the operator of the balloon so sub chartered, informs the Commissioner, within 24 hours, of such sub charter.

(2) The provision of regulations 136.01.3(1)(a) and (2), 136.01.4(3) and (4)(b) and 136.01.7(1) and (3) shall apply *mutatis mutandis* to any sub charter referred to in this regulation.

**Preservation of documents**

**136.01.9** The operator of a commercial air transport balloon who is required to retain any of the documents for the specified period referred to in subpart 4, shall retain such document for such specified period irrespective of the fact that such operator, before the expiry of such specified period, ceases to be the owner or possessor of the balloon concerned.

**SUBPART 2: FLIGHT CREW**

136.02.1.....	Composition of flight crew	PART 136
136.02.2.....	Flight crew member emergency duties	PART 136
136.02.3.....	Flight time and duty periods	PART 136

**Composition of flight crew**

**136.02.1** (1) A minimum of one flight crew member shall be required for the operation of a commercial air transport balloon.

- (2) The operator shall ensure that the flight crew member –
  - (a) is competent to perform the duties assigned to them; and
  - (b) hold the appropriate valid licences and ratings.
- (3) The flight crew member shall hold a valid radiotelephony operator licence or an equivalent document issued by an appropriate authority, authorising such member to operate the type of radio transmitting equipment to be used.
- 4) The operator shall designate the pilot-in-command and the pilot-in-command may

### Flight crew member emergency duties

**136.02.2** (1) An operator and, where appropriate, the pilot-in-command of a commercial air transport balloon, shall perform the necessary duties in an emergency or a situation requiring emergency evacuation.

(2) The functions referred to in sub regulation (1) shall be such as to ensure that any reasonably anticipated emergency can be adequately dealt with and shall take into consideration the possible incapacitation of individual flight crew members.

(3) A flight crew member shall not accept an assignment of emergency functions unless such flight crew member has been trained to perform emergency functions in accordance with the requirements prescribed in subpart 3.

### Flight time and duty periods

**136.02.3** (1) Flight crew members shall:

- (a) not work more than seven consecutive days between days off;
- (b) have two consecutive days off in any consecutive fourteen days;
- (c) have a minimum of six days off in any consecutive four weeks;
- (d) have an average of at least eight days off in each consecutive four week period, averaged over three such periods.

### SUBPART 3: TRAINING AND CHECKING

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136.03.1 Training of flight crew members..	PART 136
136.03.2 Initial training of flight crew members.....	PART 136
Division Two: Pilot Training.....	PART 136
136.03.3 Conversion training..	PART 136
136.03.4 Recurrent training and checking.....	PART 136

### Division One: General

#### Training of flight crew members

**136.03.1** (1) The operator of a commercial air transport balloon shall establish and maintain a ground and flight training programme for flight crew members in his or her employ.

(2) The operator shall ensure that:

- (a) each flight crew member received training in accordance with this subpart and the appropriate syllabus prescribed in Document SA-CATS-OPS 136;
- (b) each flight crew member passes a written examination with regard to all the subjects of the training syllabus referred to in paragraph (a).

(3) The provisions of this subpart shall apply in respect of full-time and part-time employed flight crew members.

#### Initial training of **flight crew members**

**136.03.2** (1) A flight crew member employed by the operator of a commercial air transport balloon shall be:

- (a) the holder of a free balloon licence;
- (b) the holder of a valid Grade 1 Medical Certificate.
- (c) for balloons less than 120,000 cu ft, a flight crew member shall have

A minimum of 100 hours as pilot in command of any **free** hot air balloon plus a minimum of 5 hours of experience on supervised operational flights; and be the holder of a valid Flight Competence Certificate "for any hot air less than 120,000 cu ft" issued by an approved examiner;

- (d) for balloons of 120,000 cu ft and less than 240,000 cu ft, a flight crew member shall have

A minimum of 100 hours as pilot in command of any free hot air balloon of 120 000 cu ft or more plus a minimum of 5 hours of experience on supervised operational hot air balloon flights (5 of which must have been on a hot air balloon of 120,000 cu. ft. or more)

and

be the holder of a valid flight test certificate "for any hot air balloon less than 240,000 cu ft" issued by an approved examiner;

- (e) for balloons of 240,000 cu ft and less than 360,000 cu ft, a flight crew member shall have

A minimum of 200 hours as pilot in command of any free hot air balloon 120,000 cu ft and greater plus a minimum of 10 hours of experience on supervised operational hot air balloon flights (5 of which must have been on a hot air balloon of 240,000 cu. ft. or more)

and

be the holder of a valid flight test certificate "for any hot air balloon less than 360,000 cu ft" issued by an approved examiner;

- (f) for balloons of 360,000 cu ft and more, a flight crew member shall have

A minimum of 300 hours as pilot in command of **any free** hot air balloon 120,000 cu ft and greater plus a minimum of 15 hours of experience on supervised operational hot air balloon flights (5 of which must have been on a hot air balloon of 360,000 cu. ft. or more)

And be the holder of a valid flight test certificate "for any hot air balloon" issued by an approved examiner;

## Division Two: Pilot Training

### Conversion training

- 136.03.3** (1) The operator of a commercial air transport balloon shall ensure that –
- (a) a flight deck crew member completes a type conversion course in accordance with the applicable requirements prescribed in Part 61, when changing from one type of balloon to another type or class for which a new type or class rating is required;
  - (b) a flight deck crew member completes the operator's type conversion course before commencing unsupervised operational flying –
    - (i) when changing to a balloon for which a new type or class rating is required; or
    - (ii) when employed by such operator.

### Recurrent training and checking

- 136.03.4** (1) The operator of a commercial air transport balloon shall ensure that –
- (a) each flight deck crew member undergoes recurrent training and checking and that all such training and checking is relevant to the type or variant of balloon on which the flight deck crew member is licensed to operate;
  - (b) a recurrent training and checking programme is included in the operations manual referred to in Regulation 136.04.2;
  - (c) recurrent training is conducted by –
    - (i) a competent person, in the case of ground and refresher training;
    - (ii) competent personnel in the case of emergency and safety equipment training and checking.

(2) The operator shall ensure that, in the case of the operator proficiency check referred to in sub regulation (1)(a) –

(a) each flight deck crew member undergoes such checks to demonstrate his or her competence in carrying out normal, abnormal and emergency procedures;

(3) Upon successful completion of the operator proficiency check referred to in sub regulation (1)(a), the operator shall issue a certificate of competency to the flight deck crew member concerned, which certificate shall be valid for a period of twelve calendar months calculated from the last day of the calendar month in which such certificate is issued.

(4) The operator shall ensure that, in the case of emergency and safety equipment training and checking, each flight deck crew member undergoes training and checking on the location and use of all emergency and safety equipment carried.

(5) Upon successful completion of the emergency and safety equipment check referred to in sub regulation (4), the operator shall issue a certificate of competency to the flight deck crew member concerned, which certificate shall be valid for a period of 12 calendar months calculated from the last day of the calendar month in which such certificate is issued.

(6) The operator shall ensure that, in the case of ground and refresher training, each flight deck crew member undergoes training every 12 calendar months.

**SUBPART 4: DOCUMENTATION AND RECORDS**

136.04.1.....	Documents to be retained on ground	PART 136
136.04.2.....	Operations manual	PART 136
136.04.3.....	Balloon operating manual	PART 136
136.04.4.....	Balloon flight manual	PART 136
136.04.7.....	Records of emergency and survival equipment	PART 136
136.04.8.....	Flight crew member training records	PART 136
136.04.9.....	Load and trim sheet	PART 136

**Documents to be retained on ground**

**136.04.1** (1) The operator of a commercial air transport balloon shall ensure that;

- (a) the load sheet;
  - (b) the passenger list;
  - (c) the special loads notification, if applicable;
- are retained on the ground

2) The documents referred to in sub regulation (1) shall be retained for a period of at least 90 days.

**Operations manual**

**136.04.2** (1) The operator of a commercial air transport balloon shall draw up an operations manual containing all the information required under this part and setting out the manner in which such operator will operate the air service for which such operator is licensed in terms of the International Air Services Act, 1993 (Act No. 60 of 1993), or the Air Services Licensing Act, 1990 (Act No. 115 of 1990), as the case may be.

(2) The operator shall submit the operations manual in duplicate to the Commissioner for approval.

(3) If the Commissioner is satisfied that the operator –

- (a) will comply with the provisions of regulation 136.06.7; and
- (b) will not operate the air service concerned contrary to any provision of the Act, the International Air Services Act 1993, the Air Services Licensing Act, 1990, or the Civil Aviation Offences Act, 1972 (Act No. 10 of 1972), the Commissioner shall certify in writing on both copies of the operations manual that such manual has been approved, and shall return one copy of the approved operations manual to the operator.

(4) The operator shall submit an amendment to an approved operations manual in duplicate to the Commissioner for approval.

(5) If the Commissioner is satisfied that the operator will comply with the provisions of sub-regulation (3)(a) and (b), the Commissioner shall certify in writing on both copies of the amendment to the approved operations manual that such amendment has been approved, and shall return one copy of the approved amendment to the operator.

(6) The operator shall at all times operate the commercial air transport balloon in accordance with the approved operations manual or an approved amendment thereto.

(7) The operator shall –

- (a) ensure that all operations personnel are able to understand the technical language used in those sections of the operations manual which pertain to their duties;
- (b) ensure that every flight is conducted in accordance with the operations manual and that those parts of the operations manual which are required for the conduct of a flight, are easily accessible to the flight crew members on board;
- (c) make the operations manual available for the use and guidance of operations personnel;
- (d) provide the flight crew members with their own personal copy of the sections of the operations manual which are relevant to the duties assigned to them;
- (e) keep the operations manual up to date; and
- (f) keep the operations manual in a safe place.

(8) The contents of the operations manual shall not contravene the conditions contained in the operating certificate issued to the operator in terms of Regulation 121.06.3.

(9) The structure and contents of the operations manual referred to in sub regulation (1) shall be as prescribed in Document SA-CATS-OPS 136.

### **Balloon Operations manual**

**136.04.3** (1) The operator of a commercial air transport balloon shall make use of; and make available a balloon operations manual for use by the flight crew members in such operator's employ.

(2) manual shall contain –

- (a) the normal, abnormal and emergency procedures relating to the balloon;

(3) The operator shall provide each flight crew member with a copy of those parts of the balloon operations manual, which are relevant to the operational duties assigned to such flight crew member.

(4) The operator shall ensure that the balloon operations manual is provided in a hard copy or in an approved electronic format.

(5) The balloon operations manual shall be referred to in the operations manual referred in Regulation 136.04.2.

**136.04.4** The Balloon flight manual referred to in Regulation 102.03.2 may be included in the Balloon operating manual referred to in Regulation 136.04.3.

### **Flight time and duty period records**

**136.04.5** (1) The operator of a commercial air transport balloon shall –

- (a) maintain current flight time and duty period records of all flight crew members in such operator's employ; and

(b) retain the flight time and duty period records for a period of 15 calendar months calculated from the date of the last flight of each flight crew member.

(2) A flight crew member in the part-time employ of an operator shall maintain his or her own flight time and duty period records and shall provide copies thereof to the operator to enable such operator to ensure that such flight crew member does not exceed the limits prescribed in the flight time and duty scheme of the operator referred to in Regulation 136.02.5.

### **Records of emergency and equipment**

**136.04.6** (1) The operator of a commercial air transport balloon shall compile a list of all the emergency equipment to be carried in the balloon and shall have such list available at all times for immediate communication to rescue co-ordination centres.

(2) The emergency equipment list shall be included in the operations manual referred to in Regulation 136.04.2.

(3) The format and minimum information to be included in the emergency equipment list shall be as prescribed in Document SA-CATS-OPS 136.

### **Flight crew member training records**

**136.04.7** (1) The operator of a commercial air transport balloon shall maintain the records of all training and proficiency checks undertaken by the flight crew members in such operator's employ, and such records shall incorporate certificates indicating the successful completion of such training and proficiency checks.

(2) The operator shall retain the record of each flight deck crew member for a period of at least three years and the record of all other flight crew members for a period of at least 12 months from the date on which the flight crew member concerned has left the employ of such operator.

(3) The certificates referred to in sub regulation (1) shall be made available by the operator to the flight crew member concerned on request.

### **Load sheet**

**136.04.8** (1) The operator of a commercial air transport balloon—  
(a) registered and operated in the Republic shall complete a load sheet—

(2) A load sheet shall be completed in duplicate and one copy shall be carried in the balloon and one copy shall be retained in accordance with the provisions of Regulation 136.04.1.

(3) The load sheet shall be retained by the operator for a period of at least 90 days calculated from the date on which the flight was undertaken.

- (4) The minimum contents of a load sheet shall be as prescribed in Document SA-CATS-OPS 136.

#### **SUBPART 5: BALLOON INSTRUMENTS AND EQUIPMENT**

136.05.1 .....	Approval of instruments and equipment	PART 136
136.05.2 .....	Flight, navigation and associated equipment <del>or</del> balloon operated under VFR	PART 136

#### **Approval of instruments and equipment**

136.05.1 (1) The operator of a commercial air transport balloon shall ensure that a flight does not commence unless the instruments and equipment required under this subpart, or otherwise installed on the balloon, are –

(a) subject to the provisions of sub-regulation (2), approved and installed in accordance with the requirements, including operational and airworthiness requirements applicable to such instruments and equipment; and

(2) The operator shall not be required to obtain approval for the –

- (a) accurate time piece referred to in regulations 91.04.4 and 91.04.5;
- (b) first aid equipment referred to in Regulation 91.04.16; and
- (c) Flight, navigation and associated equipment for balloons operated under VFR
- (d) Fire Fighting Equipment

#### **Equipment required**

136.05.2 (1) The operator of a commercial air transport balloon shall not operate the balloon in accordance with VFR, unless such balloon is equipped with –

- (a) an accurate time-piece showing the time in hours, minutes and seconds;
- (b) a sensitive pressure altimeter with a subscale setting, calibrated in hectopascal, adjustable for any barometric pressure setting likely to be encountered during flight;
- (c) a vertical-speed indicator;
- (d) a fusible temperature link and a permanent maximum temperature label to be installed;
- (e) fuel pressure gauge;
- (f) and fuel content indicator;
- (g) handling line
- (h) fire extinguisher
- (i) 1<sup>st</sup> Aid Kit (as per SA-CATS OPS specifically for balloons)

**SUBPART 6: OPERATING CERTIFICATE**

136.06.1.....	Operating certificate	PART 136
136.06.2.....	Application for operating certificate	PART 136
136.06.3.....	Adjudication of application for operating certificate	PART 136
136.06.4.....	Period of validity of operating certificate	PART 136
136.06.5.....	Safety inspections and audits	PART 136
136.06.6.....	Suspension and cancellation of operating certificate and appeal	PART 136
136.06.7.....	Duties of holder of operating certificate	PART 136
136.05.8.....	Register of operating certificates	PART 136

**Operating certificate**

**136.06.1** The operator of a commercial air transport balloon shall not operate the balloon unless such operator is the holder of a valid –

- (a) licence issued in terms of the ~~Air~~ Services Licensing Act, 1990, or the International ~~Air~~ Services Act, 1993; and
- (b) operating certificate issued in terms of Regulation 136.06.3.

**Application for operating certificate**

**136.06.2** *An* application for an operating certificate shall be made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-OPS 135 and shall be accompanied by the appropriate fee as prescribed in Part 187.

**Adjudication of application for operating certificate**

**136.06.3** (1) In considering an application referred to in regulation 136.06.2 the Commissioner may conduct the investigation he or she deems necessary.

(2) *An* application shall be granted and the operating certificate issued if the Commissioner is satisfied that –

- (a) the applicant will comply with the provisions of regulation 136.06.7; and
- (b) the applicant will not operate the air service concerned contrary to any provision of the Act, the Civil Aviation Offences Act, 1972, the International Air Services Act, 1993, or the ~~Air~~ Service Licensing Act, 1990.

(3) If the Commissioner is not so satisfied he or she shall notify the operator thereof, stating the reasons in the notification, and grant the operator the opportunity to rectify or supplement any defect within the period determined by the Commissioner, after which period the Commissioner shall grant or refuse the application concerned.

(4) An operating certificate shall be issued on the appropriate form as prescribed in Document SA-CATS-OPS 136, under such conditions which the Commissioner may determine.

#### **Period of validity of operating certificate**

**136.06.4** (1) An operating certificate shall be valid for such period as may be determined by the Commissioner: Provided that such period shall not exceed a period of 12 months from the date of issuing thereof.

(2) If the holder of an operating certificate applies at least 30 days prior to the expiry thereof for a new operating certificate, that first-mentioned operating certificate shall, notwithstanding the provisions of sub regulation (1), remain in force until such holder is notified by the Commissioner of the result of the application for the issuing of a new operating certificate.

#### **Safety inspections and audits**

**136.06.5** (1) An applicant for the issuing of an operating certificate shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits which may be necessary to verify the validity of an application made in terms of Regulation 136.06.2.

(2) The holder of an operating certificate shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits which may be necessary to determine compliance with the appropriate requirements prescribed in this part.

#### **Suspension and cancellation of operating certificate and appeal**

**136.06.6** (1) An authorised officer, inspector or authorised person may suspend for a period not exceeding 30 days, an operating certificate issued under this subpart, if –

(a) after a safety inspection and audit carried out in terms of Regulation 135.06.5, it is evident that the holder of the operating certificate does not comply with the requirements prescribed in this part, and such holder fails to remedy such non-compliance within 30 days after receiving notice in writing from the authorised officer, inspector or authorised person to do so; or

(b) the authorised officer, inspector or authorised person is prevented by the holder of the operating certificate to carry out a safety inspection and audit in terms of Regulation 136.06.5; or

(c) the suspension is necessary in the interests of aviation safety.

(2) The authorised officer, inspector or authorised person who has suspended an operating certificate in terms of sub regulation (1), shall deliver a report in writing to the Commissioner, stating the reasons why, in his or her opinion, the suspended operating certificate should be cancelled.

- (3) The authorised officer, inspector or authorised person concerned shall submit a copy of the report referred to in sub regulation (2), to the holder of the operating certificate which has been suspended, and shall furnish proof of such submission for the information of the Commissioner.
- (4) The holder of an operating certificate who feels aggrieved by the suspension of the operating certificate may appeal against such suspension to the Commissioner, within 30 days after such holder becomes aware of such suspension.
- (5) An appellant shall deliver an appeal in writing, stating the reasons why, in his, her or its opinion, the suspension should be varied or set aside.
- (6) The appellant shall submit a copy of the appeal and any documents or records supporting such appeal, to the authorised officer, inspector or authorised person concerned and shall furnish proof of such submission for the information of the Commissioner.
- (7) The authorised officer, inspector or authorised person concerned may, with 30 days of receipt of the copy of the appeal referred to in sub regulation (6), deliver his or her written reply to such appeal to the Commissioner.
- (8) The Commissioner may –
- (a) adjudicate the appeal on the basis of the documents submitted to him or her; or
  - (b) order the appellant and the authorised officer, inspector or authorised person concerned to appear before him or her, either in person or through a representative, at a time and place determined by him or her, to give evidence,
- (9) The Commissioner may confirm, vary or set aside the suspension referred to in sub regulation (1).
- (10) The Commissioner shall –
- (a) if he or she confirms the suspension in terms of sub regulation (9); or
  - (b) if an operating certificate is suspended in terms of sub regulation (1) and the holder thereof does not appeal against such suspension in terms of sub regulation (4), cancel the operating certificate concerned.

#### **Duties of holder of operating certificate**

**136.06.7** The holder of an operating certificate shall –

- (a) notify the Commissioner in the manner as prescribed in Document SA-CATS-OPS 136 before any change is effected to the particulars on the operating certificate;
- (b) keep the operating certificate in a safe place and produce such operating certificate to an authorised officer, inspector or authorised person for inspection if so requested by such officer, inspector or person; and
- (c) not commence or continue with the air service concerned unless such holder is the holder of a valid operating certificate.

## Register of operating certificates

**136.06.8** (1) The Commissioner shall maintain a register of all operating certificates issued in terms of the regulations in this part.

(2) The register shall contain the following particulars:

- (a) The **full** name and, if any, the trade name of the holder of the operating certificate;
- (b) the postal address **of** the holder of the operating certificate;
- (c) the number of the operating certificate issued to the holder;
- (d) particulars of the type of air service for which the operating certificate is issued;
- (e) particulars of the category of balloons for which the operating certificate was Issued; and
- (f) the date **on** which the operating **certificate** was issued.

(3) The particulars referred to in sub regulation (2) shall be recorded in the register within **30** days **from** the date on which the operating certificate was issued by the Commissioner.

(4) The registers shall be kept in a safe place at the office of the Commissioner.

(5) A copy of the register shall be furnished by the Commissioner, on payment of the appropriate fee as prescribed in Part 187, to any person who requests the copy.

## SUBPART 7: FLIGHT OPERATIONS

136.07.1.....	Establishment of procedures	PART 136
136.07.2.....	Operational control and supervision	<b>PART</b> 136
136.07.3.....	Competence of operations personnel	PART 136
136.07.4.....	Use of air traffic services	PART 136
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136.07.7.....	Fuel and oil supply	PART 136
136.07.8.....	Carriage of infants and children	PART 136
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136.07.10.....	Limitations on carriage of infants, children and passengers with disability	PART 136
136.07.11.....	Carriage on inadmissible passengers, deportees or persons in custody	PART 136
136.07.12.....	Passenger services	PART 136
136.07.13.....	Incidents and defects	PART 136

## Establishment of procedures

**136.07.1** The operator of a commercial air transport balloon shall –

- (a) establish procedures and instructions, for each balloon type, containing ground personnel and flight crew member's duties for all types of operations on the ground and in flight;

(b) establish a checklist system to be used by flight deck crew members for all Phases of operation under normal, abnormal and emergency conditions, to ensure that the operating procedures in the operations manual referred to in Regulation 136.04.2, are followed;

### **Operational control and supervision**

**136.07.2** The operator of a commercial air transport balloons shall exercise operational control and establish and maintain an approved method of supervision of flight operations.

### **Competence of operations personnel**

**136.07.3** The operator of a commercial air transport balloon shall ensure that all personnel assigned to, or directly involved in ground and flight operations, are properly instructed, have demonstrated their abilities in their particular duties and are aware of their responsibilities and the relationship of such duties to the operation as a whole.

### **Use of air traffic services**

**136.07.4** The operator of a commercial air transport balloon shall ensure that air traffic services are used for all flights whenever applicable.

### **Smoking in, or in the vicinity of a balloon**

**136.07.5** No person shall smoke in and 10m around a South African registered balloon. No Smoking signs should be prominently displayed in relevant areas.

### **Fuel policy**

**136.07.6 (1)** The operator of a commercial-air transport balloon shall establish a fuel policy for the purpose of flight planning and in-flight preplanning to ensure that every flight carries sufficient fuel for the planned operation and reserve fuel to cover deviations from the planned operation.

- (2)** The operator shall ensure that the planning of a flight is only based upon-
- (a) procedures, tables or graphs which are contained in or derived from the operations manual referred to in Regulation 136.04.2, or current balloon-specific data;
  - (b) the operating conditions under which the flight is to be conducted including –
    - (i) realistic balloon fuel consumption data;
    - (ii) anticipated masses; and
    - (i) expected meteorological conditions;

### **Fuel supply**

**136.07.7** The operator of a commercial air transport balloon shall establish a procedure to ensure that in-flight fuel checks and fuel management are carried out.

### Carriage of children

**136.07.8** (1) The operator of a commercial air transport balloon shall ensure that child younger than seven years is only carried when all the conditions as prescribed in the operations manual have been met.

### Carriage of passengers with disability

**136.07.9** (1) The operator of a commercial air transport balloon shall establish procedures, including identification, seating positions and handling in the event of an emergency, for the carriage of passengers with a disability.

(2) The operator shall ensure that -

(a) the pilot-in-command of the balloon is notified when a passenger with a disability is to be carried on board;

(b) individual briefings on emergency procedures are given to a passenger with a disability and his or her able-bodied assistant, appropriate to the needs of such passenger; and

(c) The person giving the briefing shall enquire as to the most appropriated manner of assisting the passenger with a disability so as to prevent pain or injury to such passenger.

(3) A mentally disturbed person shall not be carried in the balloon unless

(a) Accompanied by an able-bodied assistant; and

(b) A medical certificate has been issued by a medical practitioner certifying such mentally disturbed person's suitability for carriage by air, and confirming that there is no risk of violence from such person.

(4) The operator shall undertake the carriage of a mentally disturbed person who, according to his or her medical history, may become violent, only after special permission has been obtained from the Commissioner by such operator.

(5) A passenger with a disability may travel unaccompanied provided he or she is able to assist himself or herself.

(6) Any supporting aids or equipment of a passenger referred to in sub regulation shall not obstruct emergency equipment.

(7) If a passenger with a splinted or artificial limb cannot assist himself or herself then he or she shall be accompanied by an able-bodied assistant.

### Limitations of carriage of infants, children and passengers with disability

**136.07.10** (1) Only one passenger with a disability or one unaccompanied minor may be carried in a commercial air transport balloon under the operator's discretion.

(2) An able-bodied assistant shall accompany a passenger with a disability who cannot assist himself or herself, and such assistant shall be assigned with the responsibility of the safety of such passenger.

(3) The operator may establish procedures, other than the procedures referred to in sub regulations (1) and (2), for the carriage of infants, children, and passengers with a disability: Provided that such procedures –

- (a) do not jeopardise aviation safety; and
- (a) prior written approval is obtained from the Commissioner.

**Carriage on inadmissible passengers, deportees or persons in custody**

~~136.07.11~~ (1) The operator of a commercial air transport balloon shall establish procedures for the carriage of inadmissible passengers, deportees or persons in custody to ensure the safety of the balloon and its occupants.

**Passenger services -**

**136.07.12** (1) Except when in use, all items for passenger services, including food containers, thermos flasks and servicing trays, shall be carried in their respective stowage's and secured against movements likely to cause injury to persons or damage to the balloon.

(2) All items referred to in sub regulation (1) shall be stowed during take-off and landing or during emergency situations, as directed by the pilot-in-command of the balloon.

**Incidents and defects**

**136.07.13** (1) The operator of a commercial air transport balloon shall establish adequate inspection and reporting procedures to ensure that defective equipment are reported to the pilot-in-command of the balloon before take-off

(2) The procedures referred to in sub regulation (1) shall be extended to include the reporting to the operator of all incidents or the exceeding of limitations that may occur while the flight crew are embarked on the balloon and of defective equipment found on board.

(3) Upon receipt of the reports referred to in sub regulation (2), the operator shall compile a report and submit such report on a monthly basis to the Commissioner.

**SUBPART 8: BALLOON PERFORMANCE OPERATING LIMITATIONS**

136.08.1 .....	General	<b>PART 136</b>
136.08.2.....	General provisions for all classes of balloons	<b>PART 136</b>
136.08.3.....	Take-off	<b>PART 136</b>

**General**

**136.08.1** The operator of a balloon shall not operate the balloon free flight

- (a) by night; unless tethered
- (b) (b) in IMC except under special VFR or under special conditions as approved by the Commissioner.

## General provisions for all classes of balloons

**136.08.2** (1) The operator of a commercial air transport balloon shall ensure that the mass of the Balloon, at the start of the take-off, is not greater than the mass at which the requirements prescribed in the appropriate flight manual can be complied with for the flight to be undertaken, allowing for expected reductions in mass as the flight proceeds.

### Take-off

**136.08.3** (1) The operator of a balloon shall ensure that the mass of the balloon does not exceed the maximum certificated mass for the pressure altitude and the ambient temperature at the point of departure.

## SUBPART 9: MAINTENANCE

<b>136.09.1</b> .....	General	<b>PART 136</b>
<b>136.09.2</b> .....	Balloon maintenance schedule	<b>PART 136</b>
<b>136.09.3</b> .....	Maintenance contracted to approved maintenance organisation .....	<b>PART 136</b>

### General

**136.09.1** The operator of a commercial Balloon operator shall not operate the Balloon unless such Balloon is maintained in accordance with the regulations in Part 43.

### Balloon maintenance schedule

**136.09.2** (1) The operator of a commercial Balloon shall ensure that the Balloon is maintained in accordance with a Balloon maintenance schedule established by the manufacturer.

(2) The schedule shall contain details, including frequency, of all maintenance required to be carried out on the Balloon.

(3) The schedule shall include a reliability programme if the Commissioner determines that such a reliability programme is necessary.

(4) The schedule referred to in sub regulation (1) and any subsequent amendment thereof shall be approved by the Commissioner.

### Maintenance contracted to approved maintenance organisation

**136.09.3** If maintenance on a commercial Balloon is carried out by the holder of an aircraft maintenance organisation approval with the appropriate rating issued in terms of Part 145, the operator of the Balloon shall ensure that all contracted maintenance is carried out in accordance with the regulations in Part 43.

## 16.2 MOTIVATION

On the 15<sup>th</sup> of September 2005 the SACAA Flight Operations Part 135 invited all the Balloon operators in the CAA office for a meeting regarding the Proposed Balloon Regulations regarding the Operations of a Free Balloons engaged in commercial Air Transport Operating within the Republic of South Africa. The propose regulation was tabled to the Operators and there was a lot of input from the Operators. The Operators took the proposed balloon regulation to their Balloon Associations. On the 2<sup>nd</sup> of

September the Commercial Balloon Operators held their meeting and they submitted their proposal which were incorporated into this proposed regulation. This proposal has been drafted with the involvement of the industry itself and it will help the SACAA in the safety oversight of the whole Balloon Operations in the Republic.

## 16.3 CURRENT REGULATIONS

No Part dealing with this issue is in existence

## SCHEDULE 17

### 17.0 PROPOSAL FOR THE AMENDMENT OF REGULATION 187.00.14 OF PART 187 OF THE REGULATIONS

#### 17.1 Proposed amendment of regulation 187.00.14 by the insertion of regulation 187.00.( Fees relating to Part 136)

#### “Fees relating to Part 136

187.00.14C The following fees shall be payable upon application-

Part 136 A Issuing of Operating Certificate	R 3500.00
Part 136 B for Each Balloon	R 605.00
Part 136 C Renewal of Operating Certificate	R 2350.00
Part 136 D Renewal in respect of each Balloon	R 605.00
Part 136 E Copy of the register	R 120.00
Part 136 F Operations Manual	R 2700.00
Part 136 G For amendments to an Operations man	R 120.00
Part 136 G(i) Ops Man text or contents of manual	R 1.20
Part 136 G(ii) Ops Man name and numbering	R 2.40
Part 136 H Removal of a balloon from certificate	R 130.00

## 17.2 MOTIVATION

It was stated by the Balloon Operators that the fees which they were paying relating to ~~Part~~ 135 are inappropriate, unfair and expensive for Balloon operations.

- (a). The Balloon operation is unlike the charter operations because they normally operate ~~in~~ the morning **part of** the day.
- (b). their operations are mainly in winter they **hardly do** business in summer because of the weather.
- (c). The **Balloon** is unlike the ~~aircraft~~— **after 5 years you need** to dispose it because of the texture of the balloon material.

With the above reason a consensus with the stake holder was reached that they will be charged half the fees relating to part 135. Therefore the Authority is ~~proposing~~ the above fees for the Commercial Air Balloon Operations to be implemented on adoption of the regulations.

## 17.3 CURRENT REGULATION

No such regulation exists.

## SCHEDULE 18

### 18.0 PROPOSAL FOR THE INSERTION OF SUBPARTS 1-8 OF PART 61 INTO THE REGULATIONS (THE EXISTING PART 61 EXCEPT FOR SUBPART 48 HAS NOT BEEN PUT INTO OPERATION)

#### PROPOSER

Part 61 Workgroup  
Old Mutual Business Park  
Gewel Street  
ISANDO Ext 3  
1620

#### Explanation of Interest of the Proposer

The workgroup under the auspices of the AASA has been mandated to finalise Part 61.

#### SUBPART 1 GENERAL

##### Applicability

61.01.1 (1) This Subpart shall apply to –

- (a) the issuing, revalidating and re-issuing of South African pilot licences and ratings, the privileges and limitations of such licences and ratings, and matters related thereto;
- (b) the designation of examiners;
- (c) the validation of foreign pilot licences and ratings issued by a contracting state, and matters related thereto; and
- (d) the conversion of foreign pilot licences and ratings issued by a Contracting state, and matters related thereto.
- (e) exemptions to this Part may be provided for in Part 94 in respect of the operation of certain non type-certificated aircraft.

(2) Transitional arrangements, as provided for in Part 187 in as far as they relate to Part 61 are contained in the relevant subparts.

##### Authority to act as pilot

61.01.2 (1) No person shall act as a pilot of a South African registered aircraft, except in the case of dual instruction with an appropriately rated flight instructor, unless such person holds a valid –

- (a) pilot licence with applicable ratings issued, revalidated or reissued by the Commissioner in terms of this Part or Part 62: Provided that a student pilot licence may have been issued without a class rating or type rating ; or
- (b) Pilot licence and applicable ratings issued by an appropriate authority validated by the Commissioner in terms of this Part or Part 62

(2) The holder of a pilot licence **shall** not exercise privileges other than the **privileges granted** by the licence and ratings held **by** such holder.

### Pilot licences

61.01.3 (1) The pilot licences, issued in terms of this **Part**, are –

- (a) student pilot licence – (SPL)
- (b) private pilot licence (aeroplane) – (PPL(A));
- (c) private pilot licence (helicopter) – (PPL(H));
- (d) Commercial pilot licence (aeroplane) – (CPL(A));
- (e) commercial pilot licence (helicopter) – (CPL(H));
- (f) airline transport pilot licence (aeroplane) – (ATPL(A));
- (g) airline transport pilot licence (helicopter) – (ATPL(H));
- (h) multi pilot licence (MPL(A));
- (i) glider pilot licence – (GPL);
- (j) free-balloon pilot licence – (FBPL);
- (k) airship pilot licence – (ASPL);

(2) In addition to the pilot licences, referred to in sub-regulation (1), a recreational pilot licence may be issued in terms of Part 62.

### Ratings for pilots

61.01.4 The ratings for pilots are –

## Class ratings

61.01.6 (1) The class ratings issued in terms of this Part comprises -

- (a) *Divisions*. The class ratings for single-pilot aeroplanes not requiring a type rating shall be as follows:
    - (i) all single-engine piston aeroplanes (land);
    - (ii) all single-engine piston aeroplanes (sea);
    - (iii) all touring motor gliders;
    - (iv) each manufacturer of single-engine turbo-prop aeroplanes (**land**);
    - (v) each manufacturer of single-engine turbo-prop aeroplanes (sea);
    - (vi) all multi-engine piston aeroplanes (land); and
    - (vii) all multi-engine piston aeroplanes (sea),
  - (b) *Listings*. The class ratings for aeroplanes shall be issued according to **the** list of classes of aeroplanes (see **SA CATS-FCL 61.13**).
  - (c) In the case of single-pilot helicopters not requiring a type rating :
    - (viii) each manufacturer of single-engine piston helicopters; and
    - (ix) each manufacturer of single-engine turbine helicopters.
  - (d) In the case of microlight aeroplanes :
    - (i) all three-axis controlled (conventional) microlight aeroplanes; and
    - (ii) all weight-shift controlled microlight aeroplanes;
  - (e) In the case of gliders:
    - (iii) all conventional gliders;
    - (iv) all power-assisted gliders; and
  - (f) In the case of free balloons :
    - (v) all free balloons with an envelope up to and including 15 000m<sup>3</sup> in size; and
    - (vi) all free balloons with an envelope larger than 15 000 m<sup>3</sup> in **size**.
  - (g) In the case of airships :
    - (i) rigid airships; and
    - (ii) non-rigid airships.
  - (h) In the case of powered-lift aircraft  
(*Under development*)
- (3) In order to act as a flight crew member of another type or variant of the aircraft within a particular class rating, differences or familiarisation training **may** be required as prescribed in Subpart 61.13.

## Type ratings

- 61.01.7** (1) The type ratings, for aeroplanes within each particular class, issued in terms of this Part comprise a type rating for each –
- aeroplane with a maximum certificated mass exceeding 5 700 kilograms;
  - (a) turbojet aeroplane;
  - (b) aeroplane certificated for operation with a flight crew of at least two pilots; and
  - (c) aeroplane with unconventional handling characteristics that requires additional flying or flight simulation training device training.
- (2) The type ratings for helicopters issued in terms of this Part comprise a type rating for each –
- (a) helicopter with a maximum certificated mass in excess of 3 175 kg;
  - (b) helicopter certificated for operation with a flight crew of at least two pilots;
  - (c) multi-engine helicopter; and
  - (d) helicopter with unconventional handling characteristics that requires additional flying or flight simulation training device training.

## Ratings for special purposes

- 61.01.8** (1) The ratings for special purposes in respect of the appropriate licence comprise –
- (a) night rating;
  - (b) instrument rating;
  - (c) flight instructor rating;
  - (d) test flight rating;
  - (e) tug pilot rating;
  - (f) helicopter sling load rating;
  - (g) helicopter winching rating;
  - (h) helicopter game or livestock cull rating
  - (i) agricultural pilot rating
  - (j) safety pilot rating;
  - (k) aerobatic display rating; and
  - (l) tow rating
- (2) Flight instructor ratings comprise –
- (a) In the aeroplane category –

- (i) Grade I aeroplane flight instructor rating;
- (ii) Grade II aeroplane flight instructor rating; and
- (iii) Grade III aeroplane flight instructor rating.

(b) In the helicopter category –

- (i) Grade I helicopter flight instructor rating;
- (ii) Grade II helicopter flight instructor rating; and
- (iii) Grade III helicopter flight instructor rating.

(c) In other categories of aircraft –

- (i) Grade I glider flight instructor rating;
- (ii) Grade II glider flight instructor rating;
- (iii) free balloon flight instructor rating
- (iv) airship flight instructor rating; and
- (v) powered-lift flight instructor rating,

(3) Test flight ratings comprise

- (a) Class I test flight rating;
- (b) Class II test flight rating; and
- (c) Class III test flight rating.

### **Maintenance of Competency**

- 61.01.9 (1) Unless the holder of a pilot licence or rating maintains competency and recency by complying with the appropriate requirements prescribed in this Part or Part 62, and Part 91 of these Regulations, as the case may be, the licence holder shall not exercise the respective privileges granted by the licence or rating.
- (2) Unless the holder of a pilot licence is subject, in terms of these Regulations, to periodic proficiency checks for the revalidation of a rating, he or she shall not exercise the privileges of that licence unless he or she has successfully passed a revalidation check or an initial licence skill test in the same category of aircraft within the previous 24 months.
- (3) The revalidation check, referred to in sub-regulation (2), shall be conducted by a Designated Flight Examiner except that in the case of the holder of a private pilot licence, (aeroplane or helicopter) the revalidation check may be conducted by an appropriately rated Grade I or Grade II flight instructor.
- (4) The contents of the revalidation check referred to in sub-regulation (2) shall be as defined in Document SA-CATS-FCL61 and shall be conducted in an aircraft of the category for which the pilot is licensed or in a flight simulation training device (FSTD) approved for the purpose.

- (5) (a) The person who conducted the revalidation check shall enter the outcome of a successful revalidation check in the pilot's logbook and sign it accordingly. Whether the check was successful or not, the person who conducted the check shall submit the relevant test report to the Commissioner and where unsuccessful shall also submit a notice of denial of application
- (b) The relevant test report, referred to in paragraph (a), shall be countersigned by the pilot, and the pilot concerned shall be provided with a copy thereof.
- (6) When a pilot does not demonstrate the required standard during the proficiency check –
- (a) The person who conducted the revalidation check shall inform the candidate of the outcome of the check and inform him/her that they may not exercise the privileges of the licence for which the revalidation check has been conducted
- (b) the pilot shall undergo corrective training with a flight instructor, other than the person who conducted the proficiency check, before submitting himself or herself for a recheck;
- (c) no recheck shall be conducted without a letter of recommendation by the flight instructor referred to in paragraph (a).
- (7) (a) The holder of a pilot licence shall submit to the Commissioner at least annually a certified copy of the summary of his or her logbook in the format prescribed in Document SA-CATS-FCL 61. The summary shall be signed by the licence holder to certify that it is a true reflection of his or her flying experience during the period summarised, and shall accompany the payment of the currency fee, referred to in regulation 61.01.23.
- (b) Notwithstanding the provisions of paragraph (a), no summary shall be required to accompany the currency fee if during the preceding 12 months a six-monthly or annual summary was submitted as part of an application for the issue of a higher grade pilot licence or for the issue or revalidation of a rating.
- (8) If the Commissioner suspects that a person, licensed in terms of this Part, has failed to maintain the minimum standard required to exercise the privileges of any licence or rating which he or she holds, the Commissioner may, after having afforded the licensee an opportunity to respond, give the licensee reasonable notice in writing of such suspicion. The Commissioner may then require the person to undergo, by a date specified by the Commissioner, the skill test or all or some of the theoretical knowledge examinations prescribed in this Part in respect of such licence or rating.

- (9) Should the tests or examinations, referred in sub-regulation (8), show that the standard of the licence or rating holder is below that required for the licence or rating concerned, the Commissioner shall suspend the holder from exercising all or any of the privileges of that licence or rating until such time as the holder can show that he or she is again able to meet the skill or theoretical knowledge requirements for that licence or rating.
- (10) If the person, who has been **duly** notified in terms of sub-regulation (8), **fails** without reasonable cause to present himself or herself by a specified date to undergo the test or examination prescribed, his or her standard shall be deemed to be below that required for the licence or rating concerned and ~~the~~ provisions of sub-regulation (9) shall mutatis mutandis apply.

### Medical requirements and fitness

- 61.01.10** (1) An applicant for a pilot licence to be issued in terms of this Part shall hold an appropriate valid medical certificate issued in terms of Part 67 of these Regulations.
- (2) The holder of a pilot licence issued in terms of this Part shall –
- (a) not exercise the privileges of that licence –
    - (i) unless that person –
      - (aa) holds an appropriate valid medical certificate issued in terms of Part 67; and
      - (bb) complies with all medical endorsements on that medical certificate;
    - (ii) while he or she is aware of having a medical deficiency that would make him or her unable to meet the medical standards for his or her medical certificate, until he or she has been assessed medically fit again by an aviation-medical examiner designated in terms of Part 67; or
    - (iii) when he or she is unable to act as a flight crew member of an aircraft because of the circumstances prescribed in sub-regulations **91.02.3 (1)** and **(2)** of Part **91** of these Regulations;
  - (b) if reasonable suspicion exists that Regulation **91.02.3(1)(a)** and **(2)(a)**, **(b)** and **(c)** have been contravened, subject himself or herself on demand of an authorised officer, inspector or authorised person, to an appropriate medical test required to establish whether or not the person is under the influence of any narcotic substance or drug which may affect **his** or **her** faculties in any manner that may jeopardise aviation safety, or to establish that person's blood alcohol level. Should the licence holder refuse to

submit to the test, the authorised officer, inspector or authorised person shall immediately suspend the licence in terms of Regulation 61.01.15.

- (c) shall carry the medical certificate, referred to in paragraph (a)(i), at all times when exercising the privileges of such licence, and shall produce such certificate on demand by the Commissioner, an authorised officer, inspector or authorised person; and
- (d) in the event that the aviation medical examiner is unable to submit electronic data to the Commissioner, the licence holder shall submit a copy of the medical certificate to the licensing authority within 90 days

### Language

**61.01.11** The applicant for a pilot licence, to be issued under this Part, shall have demonstrated his or her ability to use the English language as set out in Document SA-CATS-FCL 61.

### Logging of flight time

- 61.01.12** (1) The holder of a pilot licence shall maintain in a pilot logbook a record of all his or her flight time, instrument time and instruction time. Electronic logbooks may be used, provided that the electronic data is printed onto paper at least every 90 days and the printed pages are filed sequentially in a binder.
- (2) The form of and information to be contained in the logbook, referred to in sub-regulation (1), and the manner in which such logbook shall be maintained, shall be as prescribed in Document SA-CATS-FCL 61.
- (3) Entries in pilot logbooks shall be made within the following periods after the completion of the flight to be recorded –
- (a) in the case of flights not for hire and reward (Part 91 operations), flight training, and domestic commercial air transport operations - 7 days;
  - (b) in the case of international commercial air transport operations – 14 days;
  - (c) where a pilot is engaged in flight operations away from the base where the pilot logbook is normally kept, the periods specified in paragraph (a) and (b) may be extended to 48 hours after return to base.
- (4) All pilot logbooks shall be retained by their holders for at least 60 months from the date from which they no longer hold a valid pilot licence.
- (5) If the holder of a pilot licence carries out a number of flights upon the same day and the interval between successive flights does not exceed thirty minutes, such series of flights may be recorded as a single entry, provided that in the

case of a cross-country flight the route and intermediate stops shall be recorded,

- (6) The holder of a pilot licence shall make the logbook available for inspection upon a reasonable request by the Commissioner, an authorised officer, inspector or authorised person.

#### **Pilot-In-command time**

- (7) The holder of a valid pilot licence shall log as pilot-in-command time only that flight time during which he or she is -
- (a) the designated pilot-in-command of the aircraft; this shall be the case also if the designated pilot-in-command provides command supervision to another pilot under a scheme approved by the Commissioner;
  - (b) pilot-in-command under supervision under a scheme approved by the Commissioner, provided there is no intervention by the supervising pilot-in-command and "PICUS" is indicated in the remarks column and the entry certified by the supervising pilot-in-command;
  - (c) carrying out a student solo flight, is the sole occupant of the aircraft (except in the case of an airship requiring an additional crew member) and "SOLO" is indicated in the remarks column; or
  - (d) giving flight instruction while occupying a pilot seat with access to the controls, provided that the time shall also be logged as instructor time.
  - (e) a South African Air Force trained and qualified navigator may be credited with flight time as per Regulation 61.01.13.

#### **Co-pilot time**

- (8) Any appropriately rated pilot occupying a pilot seat as co-pilot of an aircraft requiring more than one pilot under the type certification of the aircraft, or as prescribed by the regulations under which the flight is conducted, shall log the flight time as co-pilot.
- (9) A South African Air Force trained and qualified navigator may be credited with flight time as per Regulation 61.01.13

#### **Safety pilot time**

- (10) Any pilot acting as safety pilot may log the flight as co-pilot but, unless he or she is appropriately rated on the aircraft, the flight time so acquired shall not be credited towards the experience requirements for a higher grade pilot licence or a rating. The remarks column shall be marked SAFETY PILOT.

**Dual flight instruction time**

- (11) Flight time during which the holder of a pilot licence is receiving dual instruction shall be logged as dual flight time, and shall include a record of the air exercises undertaken.

**Instrument flight time**

- (12) The pilot controlling an aircraft under actual or simulated instrument meteorological conditions solely by reference to instruments shall log that time as instrument flight time.
- (13) An instructor conducting instrument flight training or an examiner conducting a skill or proficiency instrument test shall log as instrument flight time all flight time in actual (not simulated) instrument meteorological conditions.

**Flight time as designated flight examiner**

- (14) A designated flight examiner shall log flight time as prescribed in regulation 61.36.14.

**Flight simulation time**

- (15) All instrument flight time accumulated during training on a flight simulation training device (**FSTD**) approved for instrument flight training shall be logged as instrument flight time, but must be clearly recorded as flight simulation time and must be certified by the instructor in the pilot's logbook.
- (16) Instructors and examiners, provided that they are rated on the simulated aircraft type, and holders of flight simulation training device authorisations issued in terms of this Part shall keep a record of all instruction and examiner time carried out on an approved flight simulation training device and log the time as flight simulation training device time.

**Crediting of flight time and theoretical knowledge**

- 61.01.13** (1) Flight time, entered in a pilot logbook that has been lost or destroyed, shall only be accepted by the Commissioner for crediting purposes if it can be substantiated by means acceptable to the Commissioner.
- (2) A person acting as pilot of an aircraft while not complying with any requirement of this Part applicable to that person, shall not credit that flight time for any purpose.

- (3) A student pilot shall be entitled to be credited in full with all solo and dual instruction flight time towards the total flight time requirement for the initial issue of a pilot licence.
- (4) A student, attending the integrated course referred to in regulation 61.01.22 (2), shall be entitled to be credited with pilot-in-command flight time when receiving instruction, provided the entries have been certified by the instructor in the 'Remarks' column; of these hours a maximum of 50 hours may be credited towards the pilot-in-command time required for the issue of a commercial or airline transport pilot licence.
- (5) The holder of a valid private pilot licence shall be entitled to be credited in full with all solo, dual flight instruction and pilot-in-command flight time towards the total flight time experience required for the issue of a rating or the commercial pilot licence in the same category.
- (6) The holder of a commercial pilot licence shall be entitled to be credited with the total flight time during which he or she acted as the designated pilot-in-command towards the total pilot-in-command flight time experience required for a rating or the airline transport pilot licence in the same category.
- (7) (i) The holder of a private pilot or higher licence, with an appropriate rating, when acting as co-pilot at a pilot station of an aircraft certified to be operated with a co-pilot, shall be entitled to be credited in full with this flight time towards the total flight time required for a higher grade pilot licence.  
(ii) The holder of a private pilot or higher, with an appropriate rating, when acting as co-pilot at a pilot station of an aircraft certified for operation by a single pilot but required by these Regulations to be operated with a co-pilot, shall be entitled to be credited with no more than 50 percent of the co-pilot flight time towards the total time required for a higher grade pilot licence.
- (8) The holder of a commercial pilot licence, when acting as co-pilot performing **under** the supervision of the pilot-in-command the functions **and** duties of a pilot-in-command, shall be entitled to be credited to a maximum of 500 hours with such flight time towards the pilot-in-command flight time experience required for the airline transport pilot licence in the same category, provided such pilot-in-command time under supervision has been countersigned by the pilot-in-command, and furthermore provided that the supervision is in accordance with a programme approved by the Commissioner. 'Pilot-in-command under supervision' means that the co-pilot carried out all the functions and duties required of the pilot-in-command on that flight carried out in such way that the intervention of the designated pilot-in-command was not required in the interest of safety, and includes the functions prescribed in Document SA-CATS-FCL61.

- (9) The holder of a glider or gyroplane pilot licence, or **of** a recreational pilot licence endorsed for the category microlight aeroplane, shall be entitled to be credited with not more than 25 hours flight time acquired in a microlight aeroplane, glider **or** gyroplane, as the case may be, towards the total flight time experience prescribed for the issuing of a private or higher grade pilot licence (aeroplane).
- (10) An applicant for the issue or renewal of a commercial pilot's licence (aeroplane) or airline transport pilot's licence (aeroplane) shall have acquired the appropriate flight time required by these regulations in aeroplanes, except when he or she is the holder of a valid helicopter pilot's licence, where, in any such case, he or she may
- (a) have acquired fifty per cent of the required flight time in aeroplanes; and
  - (b) have acquired the remaining fifty per cent of the required flight time in helicopters in the ratio of 2 helicopter hours = 1 aeroplane hour.
- (11) **An** applicant for the issue or renewal of a commercial pilot's licence (helicopter) or an airline transport pilot's licence (helicopter) shall have acquired the appropriate flight time required by these regulations on helicopters, except when he or she is the holder of a valid aeroplane pilot's licence where, in any such case, he or she may -
- (a) have acquired fifty per cent of the required flight time in helicopters; and
  - (b) have acquired the remaining fifty per cent **of** the required flight time in aeroplanes in the ratio of 2 aeroplane hours = 1 helicopter hour.
- (12) A pilot manipulating the flight controls of an aircraft under actual or simulated instrument flight conditions solely by reference to instruments and without external reference points shall be entitled to be credited with the instrument flight time thus acquired toward the total instrument flight time experience required for -
- (a) a higher grade pilot licence;
  - (b) an instrument rating; and
  - (c) keeping an instrument rating current.
- (13) Dual instruction time shall be counted in **full** towards the total flight time experience required for a higher grade pilot licence.
- (14) Time acquired as a pilot on a flight simulation training device approved for the purpose, while under the supervision of an appropriately qualified instructor, may be credited towards -

- (a) required flight time experience for the issue of a pilot licence or rating, but only to the extent specified in each case in these Regulations;
  - (b) the instrument flight time experience required in terms of this Part and of Parts **91**, **121**, **127** or **135** for keeping the instrument rating current; and
  - (c) the renewal of the instrument rating.
- (15)** A-pilot-in command, when supervising-a-pilot manipulating the flight controls of an aircraft under actual (but not simulated) instrument flight conditions, **is** entitled to be credited with the instrument flight time thus acquired towards the total instrument flight experience required as recent experience to maintain the currency of his or her instrument rating,
- (16)** (a) A flight examiner is entitled to be credited towards the experience requirements for a rating or higher pilot licence with all flight time accrued while carrying out skill testing or proficiency checking and logged in terms of regulation **61.01.12** as --
- (i) pilot-in-command time **by** an examiner who holds the appropriate valid class rating and, where applicable, type rating for the particular aircraft (whether the examiner was the designated pilot-in-command or not);
  - (ii) flight instructor time, in the capacity of Flight Examiner, by an examiner who holds the appropriate valid flight instructor rating; **or**
  - (iii) instrument flight time for the time the flight was conducted under instrument meteorological conditions, by an examiner who **holds** a valid instrument rating.
- (b) The provisions of paragraph (a) shall apply only when the flight examiner was occupying a pilot seat.
- (c) For the purposes of calculating flight and duty times, as regulated by **Parts 91, 121, 127** and **135** of the Regulations respectively, any flight time accrued as flight examiner shall be deemed to be 'other flying', whether the examiner occupied a prescribed pilot seat or not.
- (17)** A flight instructor is entitled to be credited with all instruction time acquired while giving flight instruction for the purpose of initial flight training, instrument training, instructor training, differences or familiarisation training, safety training as defined in Part **141**, and training for ratings, towards a higher grade flight instructor rating or the renewal of the existing rating in that category and class of aircraft.
- (18)** Instruction time acquired in route training of pilots shall only **be** recognised and logged as such if the Part **121**, Part **127** or Part **135** operator has an approved scheme for route training. A flight instructor is entitled to be credited with not

more than three hours instruction time per flight so acquired towards a higher grade flight instructor rating.

- (19) A flight instructor is entitled to be credited with 25% of the instruction time acquired as a flight simulation training device instructor towards the renewal of a flight instructor rating and towards a higher grade instructor rating. Instruction time so credited shall not exceed 100 hours in the case of an upgrade to Grade II flight instructor, or 500 hours in the case of upgrade to a Grade I flight instructor.
- (20) The holder of a flight simulation training device authorisation, issued in terms of this Part, is entitled to be credited for all the instruction time acquired in an approved flight simulation training device towards the maintenance of competency prescribed for such authorisation.
- (21) The experience, skill and knowledge gained by a SA Air Force trained and qualified pilot or navigator shall be credited as follows when applying for licences and ratings specified in this Part:
- (a) Flight time for a pilot will be credited in full;
  - (b) Flight time for a navigator after attainment of a PPL and before CPL, is credited as follows;
    - (i) Navigators with more than 500 hours flight experience may receive 20 hours PIC en-route accreditation towards the 100 hours PIC required for the attainment of a CPL.
    - (ii) The applicant's logbook or a certified copy thereof shall be submitted to the Commissioner as evidence of the hours so credited.
  - (c) Flight time for a navigator after attainment of a CPL and before ALTP, is credited as follows;
    - (i) SA Air Force trained navigators are entitled to credit one third of all day/night flying time (Navigator, 2<sup>nd</sup> Navigator, Co-Navigator, Captain/TACCO or Instructor flight hours) as co-pilot time
    - (ii) The applicant's logbook or a certified copy thereof shall be submitted to the Commissioner as evidence of the hours so credited.
    - (iii) The applicant shall pass the examinations and skills test as prescribed in Part 61.03.12, 61.04.12, 61.05.12, 61.06.12, 61.07.12 and 61.08.12.
- (22) The holder of an instrument rating on aeroplanes shall be exempted from the theoretical knowledge training and examination requirements for an instrument rating on helicopters, and *vice versa*.

- (23) A student pilot having undergone all or part of the integrated course, referred to in regulation 61.01.21, having passed the theoretical knowledge examination –
- (a) for the commercial pilot licence, shall be deemed to have passed the theoretical knowledge examinations prescribed for the issue of the private pilot licence and a Part 96 authorisation issued in terms of Part 62 in the same category; and
  - (b) for the airline transport pilot licence, shall be deemed to have passed the theoretical knowledge examinations prescribed for the issue of the private and commercial pilot licence and a Part 96 authorisation issued in terms of Part 62 in the same category.

### **Theoretical knowledge examinations**

- 61.01.14 (1) General procedures to be followed by a person, applying to be entered for a theoretical knowledge examination, as well as the conditions for theoretical knowledge examinations conducted by the Civil Aviation Authority, may be set by the Commissioner and shall be published in an Aeronautical Information Circular.
- (2) An applicant for the issuing of a pilot licence or the issuing, revalidation or reissuing of a rating, who fails a theoretical knowledge examination required for such licence or rating conducted by the Civil Aviation Authority, may apply to the Commissioner for re-testing after the appropriate period specified in Document SA-CATS-FCL61.
- (3) The pass mark for any theoretical knowledge examination referred to in this Part is 75%.

### **Suspension and withdrawal of privileges and appeal**

- 61.01.15** (1) An authorised officer, inspector or authorised person may suspend, for a period not exceeding 30 days, a person from exercising all or any of the privileges of his or her pilot licence, ratings or validation if –
- (a) immediate suspension is necessary in the interests of aviation safety; or
  - (b) the authorised officer, inspector or authorised person is prevented by the holder of the license from carrying out any safety inspection and audit; or
  - (c) it is evident that the holder of the licence, rating or validation does not comply with the relevant requirements prescribed in this Part.
- (2) The notice of suspension shall be given in writing, stating the reasons for the suspension.

- (3) A person who has been suspended from exercising all or any of the privileges of his or her pilot licence in terms of sub-regulation (1) shall be afforded an opportunity to make representations against such suspension within a maximum period of seven days after such suspension, which representations shall be considered by the authorised officer, inspector or authorised person making the suspension, who may either confirm, vary or set aside the suspension.
- (4) Should no representations be received in terms of sub-regulation (3), or should the authorised officer, inspector or authorised person making the suspension, either confirm or vary the suspension, after receipt of representations, such authorised officer, inspector or authorised person, shall within a period of 7 days after the period referred to in sub-regulation (3), deliver a report in writing to the Commissioner, stating the reasons why, in his or her opinion, the suspended privileges should be withdrawn.
- (5) The authorised officer, inspector or authorised person concerned shall within 7 days submit a copy of the report, referred to in sub-regulation (4), to the holder of the licence, rating or validation of which all or some of the privileges have been suspended, and shall furnish proof of such submission to the Commissioner.
- (6) The holder of a licence, rating or validation who feels aggrieved by any suspension in terms of sub-regulation (1) or (3) may appeal against such suspension to the Commissioner within 30 days after such holder has been notified in terms of sub-regulation (2) of the suspension.
- (7) The appeal, referred to in sub-regulation (6), shall be in writing, stating the reasons why, in the appellant's opinion, the suspension should be varied or set aside.
- (8) The appellant shall submit a copy of the appeal, and any documents or records supporting such appeal, to the authorised officer, inspector or authorised person concerned, and shall furnish proof of such submission to the Commissioner.
- (9) The authorised officer, inspector or authorised person concerned shall, within 7 days of receipt of the copy of the appeal referred to in sub-regulation (8), deliver his or her written reply to such appeal to the Commissioner.
- (10) The Commissioner may -
  - (a) at any time -
    - (i) extend the period of suspension for a further period of 30 days, should the interests of fairness or aviation safety so require; and

- (ii) either confirm, vary or set aside the suspension referred to in sub-regulation (1) and impose any conditions necessary for the varying or setting aside of such suspension; and
  - (b) either adjudicate the appeal on the basis of the documents submitted to him or her; or
  - (c) order the appellant and the authorised officer, inspector or authorised person concerned to appear before him or her to give evidence, either in person or through a representative, at a time and place determined by him or her.
- (11) Before the Commissioner withdraws any privileges in terms of sub-regulation (10), he or she shall permit the holder, if he or she so wishes, to meet the relevant requirements for the issue, renewal or re-issue of the said licence, rating or validation in order to restore the privileges thereof.
- (12) With due regard for the provisions of sub-regulation (11), the Commissioner shall withdraw the privileges of the licence, rating or validation Concerned if –
- (a) he or she confirms the suspension in terms of sub-regulation (10)(a)(ii); or
  - (b) the holder does not appeal against such suspension in terms of sub-regulation (6).

### **Curtailment of privileges of licence holders aged 60 years or more**

- 61.01.16** (1) No holder of a pilot licence who has attained the age of 60 years shall act as pilot of an aircraft engaged in international commercial air transport operations except as a member of a multi-pilot crew and provided that such holder is the only member of the multi-pilot crew who has attained the age of 60 years.
- (2) No holder of a pilot licence who has attained the age of 65 years shall act as pilot of an aircraft engaged in international commercial air transport operations.
- (3) The provision of sub-regulation (1) does not apply where the relevant authority of a foreign state has given permission for a pilot to be a member of the aircraft's flight crew notwithstanding his or her age.

### **Flight Simulation Training Device**

- 61.01.17** (1) Except as provided for in sub-regulation (2), each flight simulation training device – as defined in Part 1 – used for training, and for which a candidate for the issue, revalidation, reissue or maintenance of competency requirement is to receive credit, shall be approved by the Commissioner for each particular purpose, taking into consideration –
- (a) the training, testing or checking for which it is to be used;

- (b) the particular manoeuvre, procedure, or crew member function to be performed; and
  - (c) the representation of the specific category and class of aircraft, type of aircraft, or particular variation of the type of aircraft.
- (2) The Commissioner may approve any other device for a specific training purpose
- (3) The Commissioner may approve any of the devices, referred to in sub-regulations (1) and (2) on the basis of a similar approval by the regulatory body of a Contracting State.

Recognition, validation and conversion of **pilot** licences and ratings **issued** by an **appropriate** authority of a Contracting State

**61.01.18(1) (a)** The Commissioner may recognise, through temporary validation or permanent conversion and on the conditions prescribed in this Part, pilot licences and ratings issued by an appropriate authority of a Contracting State if the standard of such foreign licence or rating is deemed to be equivalent to, or higher than, the South African licence or rating being sought.

- (b) Notwithstanding the provisions of paragraph (a) above, licences and ratings issued by a foreign authority to a South African citizen do not qualify for the issue of a Certificate of Validation or the conversion to a South African licence or rating, except if such South African citizen was issued therewith while holding permanent residence status in the country of issue.
  - (c) For the purpose of this regulation, 'permanent residence status' shall –
    - (iii) have been obtained after having lived in the particular country for at least five years after entering such country at the age of 18 years or older; or
    - (iv) having been obtained as a minor born or living in the country of issue; or
- (2) Where in the opinion of the Commissioner the standards, referred to in sub-regulation (1)(a) are perceived not to be equal to those set by the South African Civil Aviation Authority, he or she may require the foreign licence holder to undergo bridging training, prescribe the extent of such bridging training on an individual basis, and require such licence holder to undergo further assessment of competence to ensure compatibility with the relevant South African licensing standards.
- (3) The Commissioner shall publish in an Aeronautical Information Circular a list of Contracting States of which the licences and ratings issued by their appropriate

authority are deemed to be of a standard equal or higher than those issued by the South African Civil Aviation Authority, as well as prescribe any bridging training that may be required in respect of licences and ratings issued by a particular Contracting State.

- (4) Before the Commissioner validates or converts a foreign licence or rating for a commercial air transport operation, he or she shall confirm the validity of the foreign licence or rating with the appropriate authority of the issuing Contracting State.
- (5) Notwithstanding the provisions of sub-regulations (1)(a) and (2), any applicant for the validation or conversion of a foreign licence or rating shall, as a prerequisite for the issue of a Certificate of Validation or of a South African licence or rating, have passed an examination in South African air law, and have demonstrated his or her competence in respect of the privileges to be granted by the licence or rating; provided that the Commissioner may waive all or part of this requirement in respect of a validation.
- (6) Notwithstanding the provisions of sub-regulation 61.01.19(1)(h), a Certificate of Validation of a foreign licence shall be issued for a particular purpose only and for a period not exceeding twelve months, provided that under exceptional circumstances the Commissioner may extend the period of validation by one further period of 12 months
- (7) Purposes for which a Certificate of Validation may be issued include:
  - (a) to exercise the privileges of a private pilot in a South African registered aircraft;
  - (b) to ferry a South African registered aircraft from one foreign country to another, or from a foreign country to South Africa;
  - (c) to conduct demonstration flights in South African registered aircraft;
  - (d) to conduct familiarisation, difference training or route training of South African flight crew;
  - (e) to provide its holder with time to complete prescribed bridging training for the conversion of the foreign licence or rating while acting as a flight crew member on a South African registered aircraft;
  - (f) in terms of a dry- or wet-lease agreement in terms of Part 48; or
  - (g) a combination of the foregoing.
- (8) Except when issued for the purpose, referred to in paragraphs (e) and (f) of sub-regulation (7) above, and except by written permission of the Commissioner for the purposes of route training, the privileges of a validated foreign licence may not be exercised in commercial air transport operations.
- (9) A South African licence, issued wholly or in part on the strength of a foreign licence, shall indicate the Contracting State that issued the licence upon which the conversion was based.

- (10) For the issuing of a South African pilot licence or rating, the Commissioner does not recognise foreign examination credits in isolation; i.e., for a conversion the applicant must be the holder of the appropriate valid licence or rating. If such is not the case, the applicant must pass all the relevant South African examinations.
- (11) A foreign licence, if qualifying for the issue of a Certificate of Validation in terms of these Regulations, or for which a Certificate of Validation has been issued, may be accepted as the entry requirement for the issue of a higher South African pilot licence.

### **Application for and issuing of a validation or conversion of a foreign pilot licence and ratings**

#### **61.01.19 (1) Validation of a foreign pilot licence and ratings**

- (a) The holder of a licence or rating issued by the appropriate authority of a Contracting State, who desires to act as a pilot of a South African registered aircraft, may apply to the Commissioner on the appropriate form as prescribed in Document SA-CATS-FCL 61, for a Certificate of Validation of such pilot licence or rating.
- (b) A pilot licence and ratings issued by an appropriate authority of a Contracting State may be validated by the Commissioner –
- (i) subject to the same restrictions which apply to such foreign pilot licence and ratings;
  - (ii) subject to such conditions and limitations as the Commissioner may deem necessary in the interest of aviation safety;
  - (iii) in accordance with, and subject to, the requirements and conditions as prescribed in these Regulations;
  - (iv) on the appropriate form as prescribed in Document SA-CATS-FCL 61; provided that the privileges in excess of the equivalent South African pilot licence or rating shall not be permitted.
- (c) The application for a Certificate of Validation, referred to in paragraph (a) above, shall be accompanied by –
- (i) the appropriate fee as prescribed in Part 187;
  - (ii) a certified true copy of the pilot licence and ratings for which the validation is requested;
  - (iii) a certified true copy of a valid medical certificate;
  - (iv) a summary of the applicant's logbook, certified by the applicant to be a true reflection of the hours flown; and
  - (v) any other document prescribed in Document SA-CATS-FCL 61.
- (d) The minimum knowledge, experience and skill requirements for the issuing of a Certificate of Validation for the various pilot licences and

ratings are those prescribed in Document SA-CATS-FCL61 for the equivalent ~~South~~ African licences or ratings.

- (e) Where a practical flight test is required, such test shall be undertaken in an aircraft of the category, class or type, appropriate to the pilot licence for which a Certificate of Validation is sought, or in a flight simulation training device approved for the purpose.
- (9) The holder of a Certificate of Validation, issued by the Commissioner, shall comply with all the applicable provisions prescribed in these Regulations.
- (g) Before the privileges of an additional rating may be exercised in terms of the Certificate of Validation, such additional privileges shall have been endorsed on the foreign pilot licence by the appropriate foreign authority first. However, due regard shall be given to the provision of sub-regulation 61.01.19(1)(b)(v).
- (h) The period of validity of a Certificate of Validation issued by the Commissioner shall be the lesser of -
  - (i) twelve months calculated from the date of issue of such Certificate of Validation by the Commissioner; or
  - (ii) the period of validity of the pilot licence and rating issued by the appropriate authority concerned;except if the validation is in terms of a lease agreement in terms of Part 48, when the period of validity shall be the duration of the lease agreement.
- (i) A Certificate of Validation shall become invalid as soon as the corresponding foreign licence or rating/s has or have been suspended or revoked by the issuing authority.
- (j) In exceptional cases, at the discretion of the Commissioner, a Certificate of Validation may be reissued once, subject to the applicant submitting proof that he or she has complied with all requirements of the country of issue of the foreign licence or rating in respect of maintenance of competency.
- (k) To meet short-term operational requirements, the Commissioner may, in exceptional cases, issue a Certificate of Validation of a foreign licence by exempting the applicant from all or some of the requirements of this Part, subject to conditions set by him or her in each particular case.

(2) Conversion of a foreign pilot licence and ratings

- (a) The applicant for the issuing of a South African pilot licence on the strength of a foreign pilot licence shall be an individual of whom it may be expected that he or she will exercise the privileges of his or her licence or rating in a safe and responsible manner, and in respect of whom no proven reason or concern is known to exist as to why the person should not hold the licence or rating.
- (b) The following provisions shall apply in respect of the holder of a foreign pilot licence seeking its conversion to a South African licence:
- (i) The term 'current', when used in relation to foreign qualifications, means 'at the time of presentation for recognition purposes'.
  - (ii) The holder of the licence shall meet all the requirements laid down for the use of that document in the country of issue, such as having completed a flight test or review or equivalent in the country of issue, and holding a valid medical certificate of the appropriate level issued in that country: Provided that if the foreign medical certificate recently expired, the latter requirement may be waived as long as an appropriate South African medical certificate is obtained in terms of Part 67.
  - (iii) In cases where an applicant's licence is not current for reasons other than an expired medical certificate, as provided for in sub-paragraph (ii), the licence shall not be converted. In such a case, it will be necessary for the person concerned to pass all the South African written examinations, and undergo the skill test, appropriate to the level of the South African licence sought.
  - (iv) Before applying for the issue of a South African commercial or airline transport pilot licence on the strength of a foreign licence, the applicant must have his or her foreign qualifications and experience assessed by the Commissioner. Following such assessment, the person who meets the South African recognition requirements will be issued by the Commissioner with written advice as to what requirements must be met, and what action must be taken, in order to be issued with the South African pilot licence.
  - (v) The Commissioner may from time to time issue in the form of an Aeronautical Information Circular guidelines in respect of the requirements to be met for the conversion of a foreign pilot licence and ratings to a South African pilot licence and ratings.

### (3) Application

The application for the issuing of a South African pilot licence or any rating on the strength of a foreign pilot licence or rating shall be made to the Commissioner in accordance with the provisions of Document SA-CATS-FCL 61.

### (4) Issuing, validity, privileges and limitations

The requirements for the issuing, the validity, the privileges and limitations of any South African pilot licence and ratings, issued on the basis of the strength of a foreign licence, are those prescribed in these Regulations for the issuing, the validity, the privileges and limitations of the equivalent South African licence or rating.

### **Documentation**

61.01.20 The Commissioner shall ensure that a pilot licence or rating is issued in such a manner that the validity thereof may readily be determined by any appropriate authority.

### **Register of licences**

- 61.01.21 (1) The Commissioner shall maintain a register of all pilot licences and ratings issued or validated in terms of this Part.
- (2) The register shall contain the following particulars:
- (a) the full name of the holder of the licence;
  - (b) date of birth;
  - (c) the postal and residential address of the holder of the licence;
  - (d) the date on which the licence was issued or validated;
  - (e) particulars of the ratings held by the holder of the licence; and
  - (f) the nationality of the holder of the licence.
- (3) (a). The particulars, referred to in sub-regulation (2), shall be recorded in the register within seven days from the date on which the licence or rating is issued or validated by the Commissioner.
- (b) A licence holder shall notify the Commissioner within 14 days of any change of the particulars referred to in sub-regulation (2)
- (4) The register shall be kept in a safe place at the office of the Commissioner,
- (5) A copy of the register shall be furnished by the Commissioner on payment of the appropriate fee, as prescribed in Part 187, to any person who requests the copy: Provided that postal and residential addresses may not be divulged to third parties, except to law enforcement officers or on instruction of the courts.

### **Aviation training providers**

- 61.01.22 (1) Training, as required by this Part, shall only be provided by the holder of an aviation training organisation approval issued in terms of Part 141.
- (2) For training towards the issue of a pilot licence to be recognised as integrated training such training shall be conducted in accordance with an approved

training course, meeting the conditions, requirements, rules, procedures and standards as prescribed in Document SA-CATS-FCL 61.

#### Payment of currency fee

**61.01.23** The holder of a pilot licence shall pay the annual currency fee as prescribed in Part 187, applicable to the type of licence, on the anniversary date of the licence. Where applicable, the payment shall be accompanied by the annual summary as prescribed by regulation 61.01.9(7).

### **SUBPART 2 STUDENT PILOT LICENCE**

#### Requirements for student pilot licence

**61.02.1** An applicant for the issuing of a student pilot licence shall –

- be not less than **16** years of age, except in the case of a hang-glider student, for which the minimum age is 14 years;
- (g) hold a valid Class 2 medical certificate., issued in terms of Part 67;
- (h) hold at least a valid restricted certificate of proficiency (aeronautical) or a certificate of competency referred to in regulation **61.02.4**; and
- (i) have passed the theoretical knowledge examination referred to in regulation **61.02.3**.

## Training

**61.02.2** An applicant for the issuing of a student pilot licence shall be receiving ab initio flight training at an approved training organisation in the sequences prescribed in Document SA-CATS-FCL 61.

## ~~Theoretical knowledge examination~~

~~**61.02.3** An applicant for the issuing of a student pilot licence shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL 61 within the 90 days immediately preceding the date of application.~~

## Certificate of competency in radiotelephony

**61.02.4 (1)** A student pilot licence may be issued to an applicant who is not the holder of a certificate of proficiency in radiotelephony (aeronautical): Provided that he or she is the holder of a certificate of competency, issued by the holder of a flight instructor rating, wherein it is certified that –

- (a) the applicant has undergone basic training in the use of the radio apparatus installed in the aircraft in which he or she is being trained; and
- (b) the applicant is considered capable of operating such radio apparatus ~~satisfactorily to undertake solo flights - - -~~
  - (i) within the circuit area of the aerodrome where the training flights originate and terminate;
  - (ii) within the associated general flying area of such aerodrome;
  - (iii) on cross-country training flights outside controlled airspace, except for the control zone or aerodrome traffic zone of the aerodrome referred to in subparagraph (i).

(2) The basic training and knowledge requirements to be met shall be based on the communication syllabus prescribed in SA-CATS-FCL 61.02.2

(3) The certificate of competency referred to in sub-regulation (1) shall be valid for a period of three months, calculated from the last day of the calendar month in which such certificate was issued.

### Application for student pilot licence

**61.02.5** An application for a student pilot licence shall –

- (a) be made to the Commissioner on the appropriate form as prescribed in Document SA-CATS-FCL; and
- (b) be accompanied by -
  - (i) original ~~or~~ certified proof of -
    - (aa) the identity of the applicant; and
    - (bb) the age of the applicant;
  - (ii) a valid **Class** 1 or Class 2 medical certificate issued in terms of Part **67**;
  - (iii) the valid restricted or higher grade radiotelephony operator's certificate or the certificate of competency referred to in regulation **61.02.4**;
  - (iv) original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 61.02.3;
  - (v) an application for the appropriate category, class and type rating;
  - (vi) two recent passport ~~size~~ photographs of the applicant; and
  - (vii) the appropriate fee prescribed in Part 187.

### Issuing of student pilot licence

- 61.02.6** (1) The Commissioner shall issue a student pilot licence if the applicant complies with ~~the~~ requirements referred to in Regulation 61.02.1,
- (2) A student pilot licence shall be issued in the appropriate format, as prescribed in Document SA-CATS-FCL61.
- (3) Upon receipt of the student pilot licence, the applicant shall forthwith **affix** his or her signature thereon in ink in the space provided for such purpose.

### Period of validity

- 61.02.7** (1) Subject to the payment of the annual currency fee as prescribed in Part 187

- (a) A student pilot licence (aeroplane) shall be issued for a period not exceeding 2 years, from the beginning of the month following the month in which it was issued;
  - (b) Annual currency fees are due 30 days before original date of issue: ,
- (2) The privileges of the licence shall not be exercised by its holder unless the holder is in the possession of a valid **Class 1** or Class 2 medical certificate, issued in terms of Part 67.

### Privileges and limitations of student pilot licence

- 61.02.8 (1) The holder of a valid student pilot licence shall only be entitled to fly solo for the purpose of training for the applicable pilot licence –
- (a) in the type of aircraft in which he or she is undergoing training, as endorsed in his or her logbook;
  - (b) after being authorised thereto and while under supervision, as prescribed in sub-regulation (2);
  - (c) without carrying any passengers;
  - (d) on a flight other than an international flight; and
  - (e) in VMC by day.
- (2) Notwithstanding the proviso of sub-regulation (1)(e), a student undergoing the integrated training, referred to in regulation 6.01.21, may exercise the privileges of his or her student pilot licence also –
- (a) in VMC by night, if he or she is the holder of a valid night rating; and
  - (b) under IFR, if he or she is the holder of a valid instrument rating.
- (3) A student pilot shall not fly solo unless authority is granted for a flight, or for a sequence of flights, as prescribed in the relevant practical training course syllabus in Document SA-CATS-FCL61, by the holder of an appropriate and valid flight instructor rating who is to supervise the solo flight. The authority shall be in writing and be issued in his or her presence at the time when such flight or sequence of flights is about to commence.
- (4) (a) Except in an emergency, no student pilot shall land or take-off in an aeroplane from an area other than an aerodrome:
- (b) If a student pilot has executed an emergency landing in an aeroplane in an area other than an aerodrome, only the

holder of a commercial or airline transport pilot licence, or another pilot approved for the purpose in writing by the Commissioner, may fly that aeroplane out of the area.

**Ratings for special**

- 61.02.9 (1) A student pilot, undergoing the integrated training referred to in regulation 61.01.21, may undergo training for, and apply for, a night rating and an instrument rating.
- (2) An application for the night rating or the instrument rating shall be made in accordance with the provisions in Subparts 14 or 15, as applicable.

**SUBPART 3**

**PRIVATE PILOT LICENCE (AEROPLANE)**

**Requirements for private pilot licence (aeroplane)**

61.03.1 An applicant for the issuing of a private pilot licence (aeroplane) shall -

- (e) be not less than 17 years of age;
- (f) hold a valid Class 1 or Class 2 medical certificate, issued in terms of Part 67;
- (g) hold at least a valid restricted certificate of proficiency in radio telephony (aeronautical);

show evidence of holding or having held any of the following -

- (i) hold or have held a student pilot licence; or
- (ii) hold or have held a pilot licence (aeroplane) issued by a contracting state; or
- (iii) hold a military pilot qualification

- (h) have demonstrated competence in the skill test referred to in regulation 61.03.5.

### Experience

- 61.03.2 An applicant for the issuing of a private pilot licence (aeroplane) shall have completed not less than 45 hours flight time as a pilot of an aeroplane, of which –
- (a) at least 15 hours shall be accumulated in **solo** flight, of which at least five hours shall be cross-country flight time;
  - (b) the solo cross-country flight time referred to in sub-regulation (a) above shall include one triangular cross-country flight of at least 150 NM, of which the radius shall be not less than 50 NM from base along any sector of the flight, in the course of which flight full-stop landings at **two** different aerodromes away from base shall have been made: and
  - (c) not more than five hours may have been accumulated in a FSTD approved for the purpose by the Commissioner.

## Training

**61.03.3** An applicant for the issuing of a private pilot licence (aeroplane) shall have successfully completed the appropriate training as prescribed in Document SA-CATS-FCL 61.

## Theoretical knowledge examination

**61.03.4** An applicant for the issuing of a private pilot licence (aeroplane) shall have passed the appropriate written examination as prescribed in Document SA CATS-FCL 61.

## Skill test

- 61.03.5** (1) An applicant for the issuing of a private pilot licence (aeroplane) shall have demonstrated to a Designated Flight Examiner (aeroplanes) the ability to execute as pilot-in-command of an aeroplane the procedures and manoeuvres prescribed in Document SA-CATS-FCL 61. The execution shall be with a degree of competence appropriate to the privileges granted to the holder of a private pilot licence (aeroplane).
- (2) The applicant shall undergo the skill test referred to in sub-regulation (1) within six months of passing the theoretical knowledge examination referred to in regulation 61.03.4, and within the 90 days immediately preceding the date of application.

## Application for private pilot licence (aeroplane)

**61.03.6** An application for the issue of a private pilot licence (aeroplane) shall –

- (a) be made to the Commissioner on the appropriate form as prescribed in Document SA-CATS-FCL 61; and
- (b) be accompanied by –
  - (i) a valid Class 1 or Class 2 medical certificate, issued in terms of Part 67;

documentary evidence of compliance with Regulation 61.03.1 (d)

- (ii) the original documentation proving that the applicant has passed the theoretical knowledge examination referred to in regulation 61.03.4;
- (iii) the applicant's flying logbook summarised in the format as prescribed in the SA-CATS-FCL 61
- (iv) the skill test report as prescribed in Document SA-CATS-FCL 61;

- (v) two recent passport-size photographs of the applicant, unless such applicant is the holder of another pilot licence, issued in terms of Part 61; and
- (vi) the appropriate fee as prescribed in Part 187.

### **Issuing of private pilot licence (aeroplane)**

- 61.03.7 (1) The Commissioner shall issue a private pilot licence (aeroplane) if the applicant complies with the requirements referred to in regulation 61.03.1.
- (2) A private pilot licence (aeroplane) shall be issued in the appropriate format, as prescribed in Document **SA-CATS-FCL61**.
- (3) Upon receipt of the private pilot licence (aeroplane), the applicant shall forthwith affix his or her signature thereon in ink in the space provided for such purpose.

### **Period of validity**

- 61.03.8 (1) Subject to the payment of the annual currency fee prescribed in Part 187
- (a) A private pilot licence (aeroplane) shall be issued for a period of 10 years, from the beginning of the month following the month in which it was issued; and
  - (b) The currency fees as prescribed are due prior to the anniversary of the original date of issue.
- (2) The privileges of the licence shall not be exercised by its holder unless he or she -
- (a) holds a valid Class 1 or Class 2 medical certificate, issued in terms of Part 67;
  - (b) In the event that the aviation medical examiner is unable to submit electronic data to the Commissioner, the licence holder has submitted a copy of the medical certificate to the licensing authority as required in Regulation 61.01.10(d);
  - (c) complies with the provisions of regulation 61.03.1 1;
  - (d) holds a valid, appropriate class rating or type rating; and
  - (e) complies with the licence revalidation requirements.

### **Privileges of private pilot licence (aeroplane)**

- 61.03.9 The holder of a valid private pilot licence (aeroplane)

- (1) shall be entitled **to** act by day under **VMC**, as pilot-in-command or co-pilot of any aeroplane for which he or she holds the appropriate valid class rating or type rating by name;
- (2) notwithstanding the limitation to acting **in VMC** the holder of a private pilot licence (aeroplane) may **fly** in compliance with **IFR** or **in IMC**, **in** sight of the surface and clear of cloud, fog, mist within a control zone, after being authorised to do **so** by the responsible air traffic services unit.
- (3) shall be entitled furthermore **to** exercise the privileges of the licence for any of the special purposes referred to in regulation **61.03.10(1)**, if the holder holds the appropriate valid rating.
- (4) shall be entitled to act as co-pilot of any aeroplane on which a **co-pilot** is not a requirement
- (5) shall not exercise any of the privileges of his or her licence unless such holder has undergone, at any time during the preceding **24** months, a skill test for the issue of a rating, a proficiency check for the revalidation **of** a rating, or a general revalidation check in terms of sub-regulation **61.01.9(2)**.
- (6) **may** not act as pilot-in-command of an aeroplane that is carrying passengers **or** freight for compensation or hire.
- (7) The holder of a private pilot licence may not **be** remunerated for acting in any pilot capacity in an aeroplane.
- (8) The holder of a private pilot licence (aeroplane) may act as a pilot-in command of an aeroplane in the course of their own or employer's business, provided that –
  - (a) the flight **is** only incidental **to** that **business** or employment;
  - and**
  - (b) the aeroplane does not carry passengers or freight for compensation or hire.

### Rating for special purposes

**61.03.10 (1)** The ratings for special purposes associated with a Private Pilot licence (aeroplane) are –

- (a) night rating;
- (b) instrument **rating**;
- (c) test flight rating;

- (d) tug pilot rating;
  - (e) touring glider rating;
  - (f) agricultural pilot rating; and.
  - (g) aerobatics rating
  - (h) safety pilot rating
- (2) An application for any rating referred to in sub-regulation (1) shall be made in accordance with the regulations in Subpart 14, 15, 27, ~~28, 29, 30, 35, 37, or 38~~, as the case may be.

### Maintenance of competency

- 61.03.11** (1) The holder of a private pilot licence (aeroplane) shall not act as pilot-in-command of an aeroplane, transporting passengers by day or night, unless such pilot has -
- (a) within the 90 days immediately preceding the flight by day, executed as the pilot manipulating the controls not less than three take-offs and three landings, either by day or by night in an aeroplane of the same class as that in which **such** passenger-carrying flight is to be undertaken, or in an **FSTD** approved for the purpose;
  - (b) within the 90 days immediately preceding the flight by night, carried out at least one landing and take-off at night;
  - (c) complied with the skill test referred to in 61.01.09 (2); and
  - (d) flown a minimum of 3 hours as pilot-in-command in the 6 months preceding the skill test referred to in 61.03.11 (1) (c);
- (2) Provided that where the requirements referred to in sub-regulation (1) (a) and (b) are satisfied in a multi-engine aeroplane, these requirements shall be deemed to have been met in respect of single-engine aeroplanes as well.
- (3) The holder of a private pilot licence (aeroplane) shall not act as pilot-in-command of an aeroplane on an instrument approach to an aerodrome in IMC unless such pilot is the holder of a valid instrument rating and has, within the 90 days immediately preceding such approach, by means of an instrument approach procedure or procedures, established by the Commissioner or an appropriate authority -

- (a) executed at least two approaches in an aeroplane, either under actual or **simulated** conditions, with reference to flight instruments only; or
- (b) executed at least one approach in an aeroplane, either under actual or simulated conditions, with reference to flight instruments only, **and one** approach in an FSTD approved for the purpose of practising instrument approach procedures; or
- (c) executed at least two approached in an **FSTD** approved for the purpose of practising instrument approach procedures; or
- (d) undergone the skill test referred to in regulation 61.15.5.

### **Credit for Pilot and Navigator qualifications of the SA Air Force**

**61.03.12 (1)** A person who has qualified as a pilot or navigator in the SA Air Force may be issued with a Private Pilot Licence (Aeroplane) provided that –

- (a) ~~On~~ written application, the Commissioner may issue, in writing, an exemption in terms of Part 11 from some or all technical subjects as prescribed in **SA-CATS-FCL 61** except Air Law;
- (b) The applicants shall comply with regulation 61.03.1 (c) and (h);
- (c) In respect of a navigator, shall comply with Regulation **61.03.1(c), (e) (9 and (h).**

(2) This regulation shall remain in force for 5 years from the date of promulgation unless repealed.

### **Non-compliance of Requirements**

**61.03.13** In the event of the requirements of a private pilot licence (aeroplane) not being complied with the holder of a private pilot licence (aeroplane) may automatically continue to exercise the privileges of a student pilot licence as the case may be, subject to the requirements of the respective licence having been met.

## **SUBPART 4 PRIVATE PILOT LICENCE (HELICOPTER)**

### **Requirements for private pilot licence (helicopter)**

**61.04.1** An applicant for the issuing of a private pilot licence (helicopter) shall –

- (a) be not less than **17** years of age;
- (b) hold a valid Class **1** or Class **2** medical certificate, issued in terms of Part **67**;
- (c) hold at least a valid restricted certificate of proficiency in radio telephony (aeronautical);
- (d) show evidence of holding or having held any of the following –
  - (i) hold or have held a student pilot licence; or
  - (ii) hold or have held a pilot licence (aeroplane) issued by a contracting state; or
  - (iii) hold or have held a military pilot qualification (aeroplane);
- (e) have acquired the experience referred to in regulation **61.04.2**;
- (f) have successfully completed the training referred to in regulation **61.04.3**;
- (g) have passed the theoretical knowledge examination referred to in regulation **61.04.4**; and
- (h) have demonstrated competence in the skill test referred to in regulation **61.04.5**.

### **Experience**

**61.04.2** An applicant for the issuing of a private pilot licence (helicopter) shall have completed not less than 50 hours flight time as pilot of a helicopter of which –

- (a) at least **25** hours shall be dual instruction in helicopters, which shall include **5** hours instrument instruction time;
- (b) at least 15 hours shall be accumulated in solo flight, of which five hours shall be cross-country flight time;

- (c) the solo cross-country flight time referred to in paragraph (a) above shall include one triangular cross-country flight of at least **100 NM**, in the course of which full-stop landings at two different aerodromes away from base shall have been made; and
- (d) a maximum of **5** hours dual instruction time may be accumulated in a helicopter FSTD approved for the purpose by the Commissioner.

### Training

**61.04.3** An applicant for the issuing of a private pilot licence (helicopter) shall have successfully completed the appropriate training as prescribed in Document SA-CATS-FCL 61.

### Theoretical knowledge examination

**61.04.4** An applicant for the issuing of a private pilot licence (helicopter) shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL 61.

### Skill test

- 61.04.5** (1) **An** applicant for the issuing of a private pilot licence (helicopter) shall have demonstrated to an appropriately rated Designated Flight Examiner (helicopters), the ability to execute as pilot-in-command of a helicopter the procedures and manoeuvres as prescribed in Document **SA-CATS-FCL 61**. The execution shall be with a degree of competency appropriate to the privileges granted to the holder of a private pilot licence (helicopter).
- (2) The applicant shall undergo the skill test referred to in sub-regulation (1) within six months of passing the theoretical knowledge examination referred to in regulation **61.04.4**, and within the 90 days immediately preceding the date of application.

### Application for private pilot licence (helicopter)

**61.04.6** **An** application for the issuing of a private pilot licence (helicopter) shall—

- (a) be made to the Commissioner on the appropriate form as prescribed in Document SA-CATS-FCL 61; and
- (b) be accompanied by -

- (i) a valid Class 1 or Class 2 medical certificate, issued in terms of Part 67;
- (ii) the original documentation proving that the applicant has passed the theoretical knowledge examination referred to in regulation 61.04.4;
- (iii) the applicant's flying logbook summarised in the format as prescribed in the SA-CATS-FCL 61
- (iv) the skill test report as prescribed in Document SA-CATS-FCL 61;
- (v) two recent passport-size photographs of the applicant, unless such applicant is the holder of another pilot licence issued in terms of Part 61; and
- (vi) the appropriate fee as prescribed in **Part** 187.

### **Issuing of private pilot licence (helicopter)**

- 61.04.7 (1) The Commissioner shall issue a private pilot licence (helicopter) if the applicant complies with the requirements referred to in regulation 61.04.1.
- (2) A private pilot licence (helicopter) shall be issued in the appropriate format, as prescribed in Document SA-CATS-FCL 61.
- (3) Upon receipt of the private pilot licence (helicopter), the applicant shall forthwith affix his or her signature thereon in ink in the space provided for such purpose.

### **Period of validity**

- 61.04.8 (1) Subject to the payment of the annual currency fee prescribed in Part 187
- (a) private pilot licence (aeroplane) shall be issued for a period of 10 years, from the beginning of the month following the month in which it was issued; and
  - (b) the currency fees as prescribed are due prior to the anniversary of the original date of issue.
- (2) The privileges of the licence shall not be exercised by its holder unless he or she -
- (a) holds a valid Class 1 or Class 2 medical certificate, issued in terms of Part 67;

- (b) in ~~the~~ event that the aviation medical examiner is unable to submit electronic data to ~~the~~ Commissioner, the licence holder has submitted a copy of the medical certificate to the licensing authority as required in Regulation 61.01.10(d);
- (c) complies with the provisions of regulation 61.03.11;
- (d) holds a valid, appropriate class rating or type rating; and
- (e) complies with the licence revalidation requirements

### **Privileges of private pilot licence (helicopter)**

61.04.9 The holder of a valid private pilot licence (helicopter)

- (1) shall be entitled to act by day under VMC, as pilot-in-command or co-pilot of any helicopter for which he or she holds the appropriate valid type rating.
- (2) notwithstanding the limitation to acting in VMC the holder of a private pilot licence (helicopter) may fly in compliance with IFR or in **IMC**, in sight of the surface and clear of cloud, fog, mist within a control zone, after being authorised to do so by the responsible air traffic services unit.
- (3) shall be entitled furthermore to exercise the privileges of the licence for any of the special purposes referred to in regulation 61.04.10(1), if the holder holds the appropriate valid rating.
- (4) shall be entitled to act as co-pilot of any helicopter on which a co-pilot is not a requirement
- (5) shall not exercise any of the privileges of his or her licence unless **such** holder has undergone, at **any** time during the preceding 24 months, a skill test for the issue of a rating, a proficiency check for the revalidation of a rating, or a general proficiency check in terms of sub-regulation 61.01.9(2).
- (6) the holder of a private pilot licence may not act as pilot-in-command of a helicopter that is carrying passengers or freight for compensation or hire.
- (7) The holder of a private pilot licence may not be remunerated for **acting** in any pilot capacity in a helicopter.

**Rating for special purposes**

- 61.04.10 (1)** The ratings for special purposes associated with a private pilot licence (helicopter) are –
- (a) night rating;
  - (b) instrument rating;
  - (c) test flight rating; and
  - (d) safety pilot rating.
- (2) An application for any rating referred to in sub-regulation (1) shall be made in accordance with the regulations in Subparts 14, 15, and 27, as the case may be.

## Maintenance of competency

- 61.04.11 (1)** The holder of a private pilot licence (helicopter) shall not act as pilot-in-command of an helicopter, transporting passengers by day, unless such pilot has, within the 90 days immediately preceding the flight, executed as the pilot manipulating the controls not less than **three** circuits including three take-offs and three landings, either by **day** or **by** night in an helicopter of the same class as that in which such passenger-carrying flight is to be undertaken, or in an **FSTD** approved for the purpose: Provided that where this requirement *is* satisfied in a multi-engine helicopter, the requirement shall be deemed to have been met in respect of single-engine helicopters as well.
- (2) The holder **of a** private licence (helicopter) shall not act as pilot-in-command of an helicopter, transporting passengers by night, unless such pilot has --
- (a) undergone one hour **of** instrument instruction during the preceding six months, or is the holder of a valid instrument rating; and
- (3) The holder of **a** private pilot licence (helicopter) shall not act as pilot-in-command of an helicopter on an instrument approach to an aerodrome in IMC unless such pilot **is** the holder of a valid instrument rating and has, within the 90 days immediately preceding such approach, by means of an instrument approach procedure or procedures, established by the Commissioner or an appropriate authority -
- (a) executed at least two approaches in an helicopter, either under actual or simulated conditions, with reference to flight instruments only; or
- (b) executed at least one approach in an helicopter, either under **actual** or simulated conditions, with reference to flight instruments only, and one approach in an **FSTD** approved for the purpose of practicing instrument approach procedures; or
- (c) executed **at** least **two** approached in **an FSTD** approved for the purpose of practising instrument approach procedures; or
- (d) undergone the **skil** test referred to in regulation **61.15.5**; and

- (e) flown a minimum of 3 hours as pilot-in-command in the six months preceding the skill test referred to in 61.04.1 1 (1) (d).

### **Credit for Pilot and Navigator qualifications of the SA Air Force**

**61.04.12 (1)** A person who has qualified as a pilot or navigator in the SA Air Force may be issued with a Private Pilot Licence (Aeroplane) provided that –

- (a) On written application, the Commissioner may issue, in writing, an exemption in terms of Part 11 from some or **all** technical subjects as prescribed in SA-CATS-FCL 61 except Air-Law;
  - (b) The applicant shall comply with regulation 61.04.1 (c) and (h);
  - (c) In respect of a navigator, shall comply with Regulation 61.04.1 (c), (e) **(9)** and **(h)**.
- (2) This regulation shall remain in force for 5 years from the date of promulgation unless repealed.

### **Non-compliance of Requirements**

**61.04.13** In the event of the requirements of the private pilot licence (helicopter) not being complied with, the holder of an private pilot licence (helicopter) may automatically continue to exercise the privileges of a student pilot licence as the case may be, subject to the requirements of the respective licence having been met

## **SUBPART 5 COMMERCIAL PILOT LICENCE (AEROPLANE)**

### **61.05.1 (1) Requirements for commercial pilot licence (aeroptane)**

An applicant for the issuing of a commercial pilot licence (aeroplane) shall –

- (a) be not less than 18 years of age;
- (b) hold a valid Class 1 medical certificate, issued in terms of Part 67;
- (c) hold a valid general certificate of proficiency in radiotelephony (aeronautical);
- (d) show evidence of holding or having held any of the following-

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- (i) South African pilot licence (aeroplane)
  - (ii) valid pilot licence (aeroplane) issued by a contracting state;
  - (iii) military pilot qualification (aeroplane); or
  - (iv) a student pilot licence, if the applicant has undergone the integrated training referred to in regulation 61.01.22;
- (e) have acquired the experience referred to in regulation **61.05.2**;
- (f) have successfully completed the training referred to in regulation **61.05.3**;
- (g) have passed the theoretical knowledge examination referred to in regulation **61.05.4**;
- (h) have undergone the skill test referred to in regulation **61.05.5**; and
- (i) **hold a valid night** rating.

**Experience**

- 61.05.2** (1) An applicant for ~~the~~ issuing of a commercial pilot licence (aeroplane) shall have completed not less than –
- (a) 200 hours of flight time, which may include 20 hours of flight instruction time in an FSTD, approved for the purpose; or
  - (b) 150 hours of flight time if he or she has successfully completed the integrated training referred to in regulation **61.01.22**.

The total of 200 hours or 150 hours, as the case may be, referred to in sub-regulation (1), shall include –

- (a) 100 hours as pilot-in-command; or
- (b) 70 hours as pilot-in-command in the case of an applicant who has undergone the integrated training referred to in regulation **61.1.21**;

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- (c) 20 hours of cross-country flight time as pilot-in-command, including one flight of not less than 300 nm, in the course of which full-stop landings at not less than two different aerodromes away from base **shall** have been made;
- (d) 10 hours of night flying as pilot-in-command, including not less than 10 take-offs and 10 landings by night, and a cross-country flight of at least three legs, each of a minimum length **of** 50 nm; and
- (e) 20 hours **of** instrument instruction time, **of** which not more than 10 hours may have been acquired in an **FSTD**; and
- (9) At least 5 hours instruction in an aeroplane with adjustable flaps, retractable undercarriage and variable pitch propeller or turbojet engine.

### Training

**61.05.3** An applicant for the issuing **of** a commercial pilot licence (aeroplane) shall have successfully completed the appropriate training **as** prescribed in Document **SA-CATS-FCL 61**.

### Theoretical knowledge examination

**61.05.4** An applicant for the issuing of a commercial pilot licence (aeroplane) shall have passed the appropriate written examination as prescribed in Document **SA-CATS-FCL 61**.

### Skill test

- 61.05.5** (1) An applicant for the issuing of a commercial pilot licence (aeroplane) shall have demonstrated to a Designated Flight Examiner the ability to perform as pilot-in-command of an aeroplane, the procedures and manoeuvres **as** prescribed in Document **SA-CATS-FCL 61**, with a degree of competence appropriate to the privileges granted to the holder of a commercial pilot licence (aeroplane).
- (2) The applicant shall undergo the skill test referred to in sub-regulation (1) within 36 months from the date of gaining a pass

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from all the required examination papers referred to in regulation 61.05.4. No further extension shall be granted.

- (3) The skill test shall be undertaken in an aeroplane with adjustable flaps, retractable undercarriage and variable pitch propeller or turbojet engine.

### Application for commercial pilot licence (aeroplane)

**61.05.6** An application for the issuing of a commercial pilot licence (aeroplane) shall –

- (a) be made to the Commissioner on the appropriate form as prescribed in Document **SA-CATS-FCL**; and
- (b) be accompanied by -
  - (i) a valid Class 1 medical certificate, issued in terms of Part 67;
  - (ii) the original or a certified copy of the documents specified in 61.05.1 (1)(d), held by the applicant, or certified proof that the applicant has completed the integrated training referred to in regulation 61.01.22;
  - (iii) original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 61.05.4;
  - (iv) the skill test report as prescribed in Document **SA-CATS-FCL**;
  - (v) two recent passport-size photographs of the applicant, unless such applicant is the holder of another pilot licence issued in terms of Part 61;
  - (vi) the appropriate fee as prescribed in Part 187.

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### Issuing of commercial pilot licence (aeroplane)

- 61.05.7** (1) The Commissioner shall issue a commercial pilot licence (aeroplane) if the applicant complies with the requirements referred to in regulation 61.05.1.
- (2) A commercial pilot licence (aeroplane) shall be issued in the appropriate format, as prescribed in Document **SA-CATS-FCL61**.

### Period of validity

- 61.05.8** (1) Subject to the payment of the annual currency fee prescribed in **Part 187**
- (a) A private pilot licence (aeroplane) shall be issued for a period of 10 years, from the beginning of the month following the month in which it was issued; and
- (b) The currency fees as prescribed are due prior to the anniversary of the original date of issue.
- (2) The privileges of the licence shall not be exercised by its holder unless he or she -
- (a) holds a valid Class 1 medical certificate, issued in terms of **Part 67**;
- (b) in the event that the aviation medical examiner is unable to submit electronic data to the Commissioner, the licence holder has submitted a copy of the medical certificate to the licensing authority as required in Regulation 61.01.10(d);
- (c) complies with the provisions of regulation 61.05.11;
- (d) holds a valid, appropriate class rating or type rating; and
- (e) complies with the licence revalidation requirements.

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### Privileges of commercial pilot licence (aeroplane)

- 61.05.9 (1) The holder of a commercial pilot licence (aeroplane) shall be entitled, in any aeroplane for which he or she holds the appropriate type or class rating with aircraft endorsed in crew member's logbook or licence, to –
- (a) exercise all the privileges of a private pilot licence (aeroplane);
  - (b) in operations ~~other~~ than the carrying of passengers or freight for reward, ~~act~~ as pilot-in-command in any aeroplane;
  - (c) ~~act as~~ pilot-in-command in commercial air transport operations in any aeroplane certified for single-pilot operation;
  - (d) act as co-pilot in commercial air transport operations in any aeroplane required to be operated with a co-pilot;
  - (e) ~~a c t s~~ ~~safety~~ pilot; and
- (9) exercise all the privileges referred to in paragraphs (a) to (e) by night.
- (2) The holder ~~of~~ a commercial pilot licence (aeroplane) shall be entitled to exercise the privileges of the licence for any of the special purposes referred to in regulation 61.05.10(1), if the holder holds the appropriate valid rating.
- (3) The holder ~~of~~ a commercial pilot licence (aeroplane) shall not exercise any of the privileges of his or her licence unless such holder has undergone, during the preceding 24 months, a skill test for the issue of a rating, a proficiency check for the revalidation of a rating, or a general revalidation check in terms of sub-regulation 61.01.9(2).

### Rating for special purposes

- 61.05.10 (1) The ratings for special purposes associated with a commercial pilot licence (aeroplane) are –

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- (a) instrument rating;
- (b) flight instructor rating (aeroplane);
- (c) test flight rating;
- (d) tug pilot rating; and
- (e) agricultural pilot rating
- (9) aerobatics rating

- (2) An application for any rating referred to in sub-regulation (1) shall be made in accordance with the regulations in Subparts 15, 17, 18, 27, 28, 29, 30 35 and 38, as the case may be.

### Maintenance of competency

**61.05.11 (1)** The holder of a commercial pilot licence shall not:

- (a) fly as a pilot in command of an aeroplane carrying passengers unless he, within the 90 days immediately preceding the flight, has executed as the pilot manipulating the controls not less than three take-offs and three landings, either by day or by night in an aeroplane of the same class as that in which such passenger-carrying flight is to be undertaken, or in an FSTD approved for the purpose;
  - (b) Serve as a co-pilot at the flying controls in an aeroplane carrying passengers during take-off and landing unless he has served as pilot at the controls during take-off and landing in an aeroplane of the same type or in a FSTD approved for the purpose, of the aeroplane type to be used in the preceding 90 days; or
  - (c) As the holder of a licence that does not include a valid instrument rating (aeroplane) act as pilot in command of an aeroplane carrying passengers at night unless during the previous 90 days at least one of the take-offs and landings required in paragraph (a) has been carried out at night.
- (2) Where the take-off and landing requirement referred to in paragraph (1) has been satisfied in a multi-engine aeroplane, the requirement shall be deemed to have been met in respect of single-engine aeroplanes as well.

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- (3) The holder of a commercial pilot licence (aeroplane) shall not act as pilot-in-command of an aeroplane on an instrument approach to an aerodrome in IMC unless such pilot is the holder of a valid instrument rating and has, within the 90 days immediately preceding such approach, by means of an instrument approach procedure or procedures, established by the Commissioner or an appropriate authority -
- (a) executed at least two approaches in an aeroplane, either under actual or simulated conditions, with reference to flight instruments only; or
  - (b) executed at least one approach in an aeroplane, either under actual or simulated conditions, with reference to flight instruments only, and one approach in an FSTD approved for the purpose of practising instrument approach procedures; or
  - (c) executed at least two approaches in an FSTD approved for the purpose of practicing instrument approach procedures;
  - (d) undergone the skill test referred to in regulation 61.1 5.5; and
  - (e) flown a minimum of 3 hours as pilot-in-command in the six months preceding the skill test referred to in 61.05.1 1 (1) (c);

### Credit for Pilot and Navigator qualifications of the SA Air Force

61.05.12 (1) A person who has qualified as a pilot or navigator (aeroplane) in the SA Air Force may be issued with a Commercial Pilot Licence (Aeroplane) provided that -

- (a) On written application, the Commissioner may issue, in writing, an exemption in terms of Part 11 from some or all technical subjects as prescribed in Document SA-CATS-FCL 61 except Air Law;
- (b) The applicant shall comply with regulation 61.05.1 (c) and (h); and
- (c) In respect of a navigator, shall comply with Regulation 61.05.1 (c), (e), (f), and (h)

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- (2) This regulation shall remain in force for 5 years from the date of, promulgation unless repealed:

### Non-compliance of Requirements

**61.05.13** In the event of the requirements of the commercial pilot licence not being complied with, the holder of a commercial pilot licence may automatically continue to exercise the privileges of a private pilot licence as the case may be, subject to the requirements of the respective licence having been met.

## SUBPART 6 COMMERCIAL PILOT LICENCE (HELICOPTER)

### Requirements for commercial pilot licence (helicopter)

- 61.06.1 (1) An applicant for the issuing of a commercial pilot licence (helicopter) shall -
- (a) be not less than 18 years of age;
  - (b) hold a valid Class 1 medical certificate, issued in terms of Part 67;
  - (c) hold a valid general certificate of proficiency in radiotelephony (aeronautical);
  - (d) show evidence of holding or having held any of the following -
    - (i) valid South African private pilot licence (helicopter)
    - (ii) pilot licence (helicopter) issued by a contracting state; or
    - (iii) military pilot qualification (helicopter) with active flying status ;or
    - (iv) valid student pilot licence, if the applicant has undergone the integrated training referred to in regulation 61.01.22;
  - (e) have acquired the experience referred to in regulation 61.05.2;
  - (f) have successfully completed the training referred to in regulation 61.06.3;
  - (g) have passed the theoretical knowledge examination referred to in regulation 61.06.4; and
  - (h) have undergone the skill test referred to in regulation 61.06.5;
- (2) Notwithstanding 61.06.1 (1)(d)(iii) above, a person who **has** held a military pilot qualification with active flying status within the

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previous 12 months shall be deemed to meet the requirements of 61.06.1 (1)(d).

### Experience

**61.06.2 (1)** An applicant for the issuing of a commercial pilot licence (helicopter) shall have completed not less than –

- (a) 200 hours of flight time, which may include 30 hours of flight instruction time in a helicopter FSTD, approved by the Commissioner for the purpose: or
- (b) 150 hours of flight time, which may include 30 hours of flight instruction time in a helicopter FSTD, approved for the purpose, if he or she has successfully completed the integrated training referred to in regulation 61.01.22.

The total of 200 hours or 150 hours, as the case may be, referred to in sub-regulation (1), shall include –

- (a), (i) 100 hours as pilot-in-command; or  
(ii) 70 hours as pilot-in-command in the case of an applicant who has undergone the integrated training referred to in regulation 61.1.21; and
- (b) 20 hours of cross-country flight time as pilot-in-command, including one flight of not less than 150 NM, in the course of which full-stop landings at not less than two different points away from base shall have been made;

### Training

**61.06.3** An applicant for the issuing of a commercial pilot licence (helicopter) shall have successfully completed the appropriate training as prescribed in Document SA-CATS-FCL 61.

### Theoretical knowledge examination

**61.06.4** An applicant for the issuing of a commercial pilot licence (helicopter) shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL 61.

### Skill test

**61.06.5 (1)** An applicant for the issuing of a commercial pilot licence (helicopter) shall have demonstrated to a Designated Flight Examiner the ability to perform as pilot-in-command of a helicopter, the procedures and

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manoeuvres as prescribed in Document SA-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of a commercial pilot licence (helicopter).

- (2) The applicant shall undergo the skill test referred to in sub-regulation (1) within 24 months of passing the theoretical knowledge examination referred to in regulation 61.06.4, and within the 90 days immediately preceding the date of application. On application, the Commissioner may grant an extension to the period of **24** months for a single period not exceeding 90 days.
- (3) The skill test shall be undertaken in a helicopter of not less than 500 kg maximum certificated mass.

### **Application for commercial pilot licence (helicopter)**

**61.06.6** An application for the issuing of a commercial pilot licence (helicopter) shall –

- (a) be made to the Commissioner on the appropriate form as prescribed in Document SA-CATS-FCL; and
- (b) be accompanied by -
  - (i) a valid Class 1 medical certificate, issued in terms of **Part 67**;
  - (ii) the original or a certified copy of the documents specified in 61.06.1 (1)(d), held by the applicant, **or** certified proof that the applicant has completed the integrated training referred to in regulation 61.01.22;
  - (iii) original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 61.06.4;
  - (iv) the skill test report as prescribed in Document SA-CATS-FCL 61;
  - (v) two recent passport-size photographs of the applicant, unless such applicant is the holder of another pilot licence issued in terms of Part 61; and
  - (vi) The appropriate fee as prescribed in Part **187**

### **Issuing of commercial pilot licence (helicopter)**

**61.06.7 (1)** The Commissioner shall issue a commercial pilot licence (helicopter) if the applicant complies with the requirements referred to in regulation 61.06.1.

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- (2) A commercial pilot licence (helicopter) shall be issued in the appropriate format, as prescribed in Document **SA-CATS-FCL**.

**Period of validity**

- 61.06.8 (1)** Subject to the payment of the annual currency fee prescribed in Part 187 -
- (a) a commercial pilot licence (helicopter) shall be issued for a period of **10** years, from the beginning of the month following the month in which it was issued; and
  - (b) annual currency fees are due **30 days** before original date of issue.
- (2) **The** privileges of the licence shall not be exercised by its holder unless he or she -
- (a) holds a valid Class 1 medical certificate, issued in terms of Part 67;
  - (b) in the event that the aviation medical examiner is unable to submit electronic data to the Commissioner, the licence holder has submitted a copy of the medical certificate to the licensing authority as required in Regulation 61.01 10(d);
  - (c) complies with the provisions of regulation 61.06.11;
  - (d) holds a valid, appropriate type rating; and
  - (e) complies with the licence revalidation requirements.

**Privileges of commercial pilot licence (helicopter)**

- 61.06.9 (1)** The holder of a commercial pilot licence (helicopter) shall be entitled, in any helicopter for which he or she holds the appropriate rating, to -
- (a) exercise all the privileges of a private pilot licence (helicopter);
  - (b) in operations other than the carrying of passengers or freight for reward, act as pilot-in-command in any helicopter;
  - (c) act as pilot-in-command in commercial air transport operations in any helicopter certified for single-pilot operation;

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- (d) act as co-pilot in commercial air transport operations in any helicopter required to be operated with a co-pilot; ; **and**
  - (e) act as safety pilot
- (2) The holder of a commercial pilot licence (helicopter) shall be entitled to exercise the privileges of the licence for any of the special purposes referred to in regulation 61.06.10(1), if the holder holds the appropriate valid rating.
- (3) The holder of a commercial pilot licence (helicopter) shall not exercise any of the privileges of his or her licence unless such holder has undergone, during the preceding 24 months, a skill test for the issue of a rating, a proficiency check for the revalidation of a rating, or a general revalidation check in terms of sub-regulation 61.07.9(2).

**Rating for special purposes**

- 61.06.10 (1) The ratings for special purposes associated with the commercial pilot licence (helicopter) are –
- (a) night rating
  - (b) instrument rating;
  - (c) flight instructor rating (helicopter);
  - (d) test flight rating;
  - (e) agricultural pilot rating
  - (f) external load rating
  - (g) winching rating
  - (h) game or livestock cull rating
- (2) An application for any rating referred to in sub-regulation (1) shall be made in accordance with the regulation in Subparts 14, 15, 19, 20, 22, 27, 28, 32, 33, 34, and 35 as the case may be.

**Maintenance of competency**

- 61.06.11** (1) The holder of a commercial pilot licence (helicopter) shall not act as pilot-in-command of an helicopter, transporting passengers by day, unless such pilot has, within the 90 days immediately preceding the flight, executed as the pilot manipulating the controls not less than three circuits including three take-offs and three landings, either by day or by night in an helicopter of the same class as that in which such passenger-carrying flight is to be undertaken, or in a helicopter FSTD approved for the purpose: Provided that where this requirement is satisfied in a multi-engine helicopter, the

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requirement shall be deemed to have been met in respect of single-engine helicopters as well.

- (2) The holder of a commercial licence (helicopter) shall not act as pilot-in-command of a helicopter, transporting passengers by night, unless such pilot has --
- (a) undergone one hour of instrument instruction on an aeroplane or a helicopter during the preceding six months, or is the holder of a valid instrument rating (aeroplane or helicopter); and
  - (b) within the 90 days immediately preceding the flight, executed as the pilot manipulating the controls not less than three circuits including three take-offs and three landings, by night in a helicopter of the same class as that in which such passenger-carrying flight is to be undertaken, or in a helicopter FSTD approved for the purpose: Provided that where this requirement is satisfied in a multi-engine helicopter, the requirement shall be deemed to have been met in respect of single-engine helicopters as well.
- (2) The holder of a commercial pilot licence (helicopter) shall not act as pilot-in-command of an helicopter on an instrument approach to an aerodrome in IMC unless such pilot is the holder of a valid instrument rating and has, within the 90 days immediately preceding such approach, by means of an instrument approach procedure or procedures, established by the Commissioner or an appropriate authority -
- (a) executed at least two approaches in an helicopter, either under actual or simulated conditions, with reference to flight instruments only; or
  - (b) executed at least one approach in an helicopter, either under actual or simulated conditions, with reference to flight instruments only, and one approach in a helicopter FSTD approved for the purpose of practising instrument approach procedures; or
  - (c) executed at least two approached in a helicopter FSTD approved for the purpose of practising instrument approach procedures; or
  - (d) undergone the skill test referred to in regulation 61.15.5.

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- (e) flown a minimum of 3 hours as pilot-in-command in the six months preceding the skill test referred to in 61.06.1 1 (1) (d);

### **Credit for Pilot and Navigator qualifications of the SA Air Force**

**61.06.12** (1) A person who has qualified as a pilot or navigator (helicopter) in the SA Air Force may be issued with a Commercial Pilot Licence (helicopter) provided that –

- (a) On written application, the Commissioner may issue, in writing, an exemption in terms of Part 11 from some or all technical subjects as prescribed in SA-CATS-FCL61 except Air Law;
- (b) The applicant shall comply with regulation 61.06.1 (c) and (h);
- (c) In respect of a navigator, shall comply with Regulation 61.06.1 (c), (e) (9) and (h).

- (2) This regulation shall remain in force for 5 years from the date of promulgation unless repealed

### **Non-compliance of Requirements**

**61.06.13** In the event of the requirements of the commercial pilot licence (helicopter) not being complied with the holder of commercial pilot licence (helicopter) an may automatically continue to exercise the privileges of a private pilot licence (helicopter) as the case may be, subject to the requirements of the respective licence having been met

## **SUBPART 7**

### **AIRLINE TRANSPORT PILOT LICENCE (AEROPLANE)**

#### **Requirements for an airline transport pilot licence (aeroplane)**

**61.07.1** An applicant for the issuing of an airline transport pilot licence (aeroplane) shall –

- (a) be not less than 21 years of age;
- (b) hold a valid Class 1 medical certificate, issued in terms of Part 67;
- (c) show evidence of holding or having held any of the following –
  - (i) a South African pilot licence (aeroplane);
  - (ii) a valid pilot licence (aeroplane) issued by a contracting state; or

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- (iii) a military pilot qualification (aeroplane);
- (d) have acquired the experience referred to in regulation **61.07.2**;
- (e) have successfully completed the training referred to in regulation **61.07.3**;
- (9)** have passed the theoretical knowledge examination referred to in regulation **61.07.4**; and
- (g) have undergone the skill test referred to in regulation **61.07.5**; and
- (h) hold a valid South African instrument rating or have passed a South African instrument rating skill test.

### Experience

**61.07.2 (1)** An applicant for the issuing of an airline transport pilot licence (aeroplane) shall have completed in aeroplanes not **less** than 1 500 hours of flight time. This must include the particular requirements specified in (a), (b), (c), (d), (e) below. Each of these requirements must be met in full but, hours may be credited, where appropriate, towards more than one requirement except where stated otherwise in sub-regulation (2) -

- (a), 500 hours shall be on –
  - (i) multi-pilot operations, on aeroplanes type certificated in accordance with **FAA** Part 25, **JAA** Part 25 or an equivalent certification standard, or
- (b) in the case of single-pilot aeroplanes –
  - (i) operated by two pilots according to operational requirements as approved by the Commissioner; and
  - (ii) both pilots have successfully completed the multi-crew cooperation training as specified in Part **61**;
- (c) **250** hours shall be as pilot-in-command of which up to **150** hours may be pilot-in-command under supervision;
- (d) **200** hours shall be cross-country flight time, of which 100 hours must be as co-pilot or pilot-in-command under supervision. Cross country flying shall constitute a leg distance of not less than 50 nautical miles between two airports;

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- (e) 75 hours shall be instrument time, of which not more **than 30** hours may be acquired in an **FSTD** approved for the purpose; and
  - (9) 100 hours shall be night flight time as pilot-in-command or **as** co-pilot; and
- (2) The 1500 hours flying experience may comprise flight time in any of the following capacities –
- (a) As pilot-in-command/solo, counted in full;
  - (b) As pilot under instruction (dual), counted in full;
  - (c) As co-pilot performing under the supervision of the pilot-in-command the functions and duties of the pilot-in-command, counted in full provided both pilots have completed multi-crew cooperation training ;
  - (d) As an appropriately rated co-pilot, counted in full ;
  - (e) As student pilot-in-command and as student **pilot-in-command** under supervision up to a maximum of 50 hours **towards** the pilot-in-command time required for the issue of an airline transport pilot licence may be counted in full, provided that the Part 141 organisation has been authorised by **the** Commissioner to allow the logging of student pilot-in-command under supervision flight time;
  - (9) A maximum of 100 hours may have been completed **in an** FSTD of which a maximum of 25 hours may have been completed in a Flight Navigation Procedures Trainer (**FNPT**);
  - (g) Up to 50 percent of the 1500 hours and each of the requirements specified in 1 (a), (b), (c) (d), (e) above may be completed in helicopters;
  - (h) Up to 50 percent of SA Air Force Navigator time up to a maximum of 250 hours may be credited against the 1500 hours experience requirement and the 500 hours requirement of sub-regulation (1) (a) provided that the total credit given against any of the above does not exceed 250 hours: and

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- (i) A maximum of 30 hours flight time in touring motor gliders, gliders, microlight aircraft, and gyroplanes may be counted towards the 1500 hours experience requirement.

### Training

**61.07.3** An applicant for the issuing of an airline transport pilot licence (aeroplane) shall have successfully completed the appropriate training as prescribed in Document **SA-CATS-FCL 61**.

### Theoretical knowledge examination

**61.07.4** An applicant for the issuing of an airline transport pilot licence (aeroplane) shall have passed the appropriate written examination as prescribed in Document **SA-CATS-FCL 61**.

### Skill test

- 61.07.5 (1) An applicant for the issuing of an airline transport pilot licence (aeroplane) shall have demonstrated to a Designated Flight Examiner competency, under IFR, the procedures and manoeuvres as prescribed in Document **SA-CATS-FCL 61** for the **issue** of an airline transport pilot qualification (aeroplane).
- (2) The applicant shall undergo the skill test referred to in sub-regulation (1) within 72 months from the date of gaining a pass from **all** the required **examinations** referred to in regulation 61.07.4. No further extension shall be granted.
- (3) **The skill** test may serve as a skill test for the issue of the licence **and** an initial type rating or proficiency check for revalidation of the type rating for the aeroplane used in the test, and **may be** combined with the **skill** test for the issue of a multi-pilot type rating.

### Application for an airline transport pilot licence (aeroplane)

**61.07.6** An application for the issuing of an airline transport pilot licence (aeroplane) shall -

- (a) be made to the Commissioner on the appropriate form as prescribed in Document **SA-CATS-FCL 61**; and
- (b) be accompanied by -

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- (i) a valid **Class 1** medical certificate, issued in terms of Part 67;
- (ii) the original or a certified copy of the documents specified in 61.07.1 (1)(d) held by the applicant, or certified proof that the applicant has completed the integrated training referred to in regulation **61.01.22**;
- (iii) original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation **61.07.4**;
- (iv) the skill test report as prescribed in Document SA-CATS-FCL;
- (v) the applicant's flying logbook summarised in the format as prescribed in the SA-CATS-FCL **61**;
- (vi) two recent passport-size photographs of the applicant, unless such applicant is the holder of another pilot licence issued in terms of Part **61**; and
- (vii) the appropriate fee as prescribed in Part **187**.

**Issuing of an airline transport pilot licence (aeroplane)**

- 61.07.7** (1) The Commissioner shall issue an airline transport pilot licence (aeroplane) if the applicant complies with the requirements referred to in regulation 61.07.1.
- (2) An airline transport pilot licence (aeroplane) shall be issued in the appropriate format, as prescribed in Document SA-CATS-FCL **61**.

**Period of validity**

- 61.07.8** (1) Subject to the payment of the annual currency fee prescribed in Part 187
- (a) An airline transport pilot licence (aeroplane) shall be issued for a period of 10 years, from the beginning of the month following the month in which it **was** issued; and
  - (b) The currency fees as prescribed **are** due prior to the anniversary of the original date of issue.
- (2) The privileges of the licence shall not be exercised **by** its holder unless **he** or she -
- (a) holds a valid Class 1 medical certificate, issued in terms of Part 67;

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- (b) In the event that the aviation medical examiner is unable to submit electronic data to the Commissioner, the licence holder has submitted a copy of the medical certificate to the licensing authority as required in Regulation **61.01.10(d)**;
- (c) complies with the provisions of regulation **61.07.11**;
- (d) holds a valid, appropriate class rating or type rating by name; and
- (e) complies with the licence revalidation requirements.

**Privileges of airline transport pilot licence (aeroplane)**

- 61.07.9** (1) The holder of an airline transport pilot licence (aeroplane) shall be entitled, in any aeroplane for which he or she holds the appropriate type or class rating and subject to regulation **61.07.11**, to –
- (a) exercise all the privileges of a private and a commercial pilot licence (aeroplane); and
  - (b) act as pilot-in-command in commercial air transport operations.
- (2) The holder of a airline transport pilot licence (aeroplane) shall not exercise any of the privileges of his or her licence unless such holder has undergone, at any time during the preceding 24 months, a skill test for the issue of a rating, a proficiency check for the revalidation of a rating, or a general revalidation check in terms of sub-regulation **61.01.9(2)**.
- (3) When the holder of an airline transport pilot licence in the aeroplane category has only previously held a multi-crew licence, the privileges of the licence shall be limited to multi-crew operations unless the holder has met the requirements established in regulation **61.07.2** as appropriate. Any limitation of privileges shall be endorsed on the licence.

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### Rating for special purposes

- 61.07.10** (1) The ratings for special purposes associated with an airline transport pilot licence (aeroplane) are –
- (a) flight instructor rating (aeroplane);
  - (b) test flight rating;
  - (c) tug pilot rating; and
  - (d) agricultural pilot rating
  - (e) aerobatics rating
- (2) An application for any rating referred to in sub-regulation (1) shall be made in accordance with the regulations in Subparts 16, 17, 18, 22, 27, 28, 29, 30, 35, 36 and 38 as the case may be.

### Maintenance of competency

- 61.07.11** (1) The holder of a airline transport pilot licence shall not:
- (a) fly as a pilot in command of an aeroplane carrying passengers unless he has carried out at least three take-offs and three landings as pilot flying in an aeroplane of the same type or class or in a FSTD, approved for the purpose, of the aeroplane type or class to be used in the preceding 90 days;
  - (b) Serve as a co-pilot at the flying controls in an aeroplane carrying passengers during take-off and landing unless he has served as pilot at the controls during take-off and landing in an aeroplane of the same type or in a FSTD approved for the purpose, of the aeroplane type to be used in the preceding 90 days; or
- (2) Where the take-off and landing requirement referred to in paragraph 1 has been satisfied in a multi-engine aeroplane, the requirement shall be deemed to have been met in respect of single-engine aeroplanes as well.
- (3) The holder of a airline transport pilot licence (aeroplane) shall not act as pilot-in-command of an aeroplane on an instrument approach to an aerodrome in IMC unless such pilot is the holder of a valid instrument rating and has, within the 90 days immediately preceding such approach, by means of an instrument approach

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procedure or procedures, established by the Commissioner or an appropriate authority •

- (a) executed at least two approaches in an aeroplane, either under actual or simulated conditions, with reference to flight instruments only; or
- (b) executed at least one approach in ~~an~~ aeroplane, either under actual or simulated conditions, with reference to flight instruments only, ~~and~~ one approach in an FSTD approved for the purpose of practising instrument approach procedures; or
- (c) executed at least two approaches in an FSTD approved for the purpose of practising instrument approach procedures; or
- (d) undergone the ~~skil~~ test referred to in regulation 61.155; and
- (e) flown a minimum ~~of~~ 3 hours as pilot-in-command in the six months preceding the skill test referred to in 61.07.11 (1) (c).

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### Credit for Pilot and Navigator qualifications of the SA Air Force

**61.07.12 (1)** A person who has qualified as a pilot instructor or navigator instructor (aeroplane) in the SA Air Force and who holds a valid airline transport pilot licence may be issued with an airline transport Pilot Licence (Aeroplane) provided that –

- (a) On written application, the Commissioner may issue, in writing, an exemption in terms of Part 11 from some or all technical subjects as prescribed in SA-CATS-FCL61 except Air Law;
- (b) The applicant shall comply with regulation 61.07.1 (c) and (h); and
- (c) In respect of a navigator, the applicant shall comply with Regulation 61.07.1 (c), (e) (9) and (h).

(2) This regulation shall remain in force for 5 years from the date of promulgation **unless** repealed.

### Non-compliance of Requirements

**61.07.13** In the event of the requirements of an airline transport pilot licence (aeroplane) not being complied with the holder of an airline transport pilot licence (aeroplane) may automatically continue to exercise the privileges of a commercial pilot licence or a private pilot licence as the case may be, subject to the requirements of the respective licences having been met.

## SUBPART 8

### AIRLINE TRANSPORT PILOT LICENCE (HELICOPTER)

#### Requirements for an airline transport pilot licence (helicopter)

**61.08.1 (1)** An applicant for the issuing of an airline transport pilot licence (helicopter) shall –

- (a) be not less than 21 years of age;
- (b) hold a valid Class 1 medical certificate, issued in terms of Part 67;
- (c) show evidence of holding or having held any of the following –
  - (i) a South African pilot licence (helicopter);

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- (ii) a valid pilot licence (helicopter) issued by a contracting state; or
- (iii) a military pilot instructor qualification (helicopter); or
- (d) have acquired the experience referred to in regulation **61.08.2**;
- (e) have successfully completed the training referred to in regulation **61.08.3**;
- (f) have passed the theoretical knowledge examination referred to in regulation **61.08.4**;
- (g) have undergone the skill test referred to in regulation **61.08.5**; and
- (h) pass a South African instrument rating skill test if applicable.

**Experience**

**61.08.2 (1)** An applicant for the issuing of an airline transport pilot licence (helicopter) shall have completed in helicopters not less than 1000 hours of Right time. This must include the particular requirements specified in (a), (b), (c), (d), (e) below. Each of these requirements must be met in full but, hours may be credited, where appropriate, towards more than one requirement except where stated otherwise in sub-regulation (2) -

- (a) 250 hours either as pilot-in command or made up by not less than 70 hours as pilot-in-command and the necessary additional flight time as co-pilot performing, under the supervision of the pilot-in-command, the duties and functions of a pilot-in-command;
  - (b) 200 hours shall be cross-country flight time, of which 100 hours may be as co-pilot or pilot-in-command under supervision. Cross country flying shall constitute a leg distance of not less than 50 nautical miles;
  - (c) 10 hours shall be instrument flight instruction time, of which not more than 8 hours may be acquired in a helicopter FSTD approved for the purpose by the Commissioner, during the six months immediately preceding the date of application if he or she is not the holder of an instrument rating; and
  - (d) 50 hours shall be night flight time as pilot-in-command or as co-pilot;
- (2) The 1000 hours flying experience may comprise flight time in any of the following capacities -

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- (e) As pilot-in-command/solo, counted in full;
- (f) As pilot under instruction (**dual**), counted in full;
- (g) **As** co-pilot performing under the supervision of the pilot-in-command the functions and duties of the pilot-in-command, counted in full;
- (h) As co-pilot, counted in **full**;
- (i) **As** student pilot-in-command, counted in full up to a maximum of 30 hours towards the pilot-in-command time required for the issue of an airline transport pilot licence;
- (j) A maximum of 100 hours may have been completed in a helicopter **FSTD** of which a maximum of 25 hours may have been completed in a Flight Navigation Procedures Trainer (FNPT);
- (k) Up to 50 percent of the 1000 hours **and** each of the requirements specified in (1) (a), (b), **(c)** (d), (e) above may **be** completed in aeroplanes;
- (l) Up to 50 percent of SA Air Force Navigator (helicopter) time up to a maximum of 100 hours may be credited against the 1000 hours experience requirement and the 250 hours requirement of sub-regulation (1) (a) provided that the total credit given against any **of** the above does not exceed 100 hours: and

**Training**

**61.08.3** An applicant for the issuing of an airline transport pilot licence (helicopter) shall have successfully completed the appropriate training as prescribed in Document SA-CATS-FCL 61.

**Theoretical knowledge examination**

**61.08.4** An applicant for the issuing of an airline transport pilot licence (helicopter) shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL 61.

**Skill Test**

**61.08.5** (1) An applicant for the issuing of an airline transport pilot licence

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(helicopter) shall have demonstrated to a Designated Flight Examiner the ability to perform **as** pilot-in-command of a helicopter certificated for a minimum of 2 pilots, the procedures and manoeuvres as prescribed in Document SA-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of an airline transport pilot licence (helicopter).

- (2) The applicant shall undergo the skill test referred to in sub-regulation (1) within 72 months from the date of gaining a pass from all the required examination papers referred to in regulation 61.08.4. No further extension shall be granted.
- (3) The skill test may serve as a **skill** test for the issue of the licence **and** an initial type rating or proficiency check for the revalidation of the type rating for the helicopter used in the test;

### **Application for an airline transport pilot licence (helicopter)**

**61.08.6** An application for the issuing of an airline transport pilot licence (helicopter) shall –

- (a) be made to the Commissioner on the appropriate form as prescribed in Document SA-CATS-FCL 61; and
- (b) be accompanied by -
  - (iv) a valid Class 1 medical certificate, issued in terms of Part 67;
  - (v) the original or a certified copy of the documents specified in 61.08.1 (1)(d), held by the applicant, or certified proof that the applicant has completed the integrated training referred to in regulation 61.01.22;
  - (vi) original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 61.08.4;
  - (vii) the skill test report as prescribed in Document SA-CATS-FCL 61;
  - (viii) two recent passport-size photographs of the applicant, unless such applicant is the holder of another pilot licence issued in terms of Part 61; and
  - (ix) the appropriate fee as prescribed in Part 187.

### **Issuing of an Airline Transport pilot licence (helicopter)**

**61.08.7** (1) The Commissioner shall issue an airline transport pilot licence

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(helicopter) if the applicant complies with the requirements referred to in regulation 61.08.1.

- (2) An airline transport pilot licence (helicopter) shall be issued in the appropriate format, as prescribed in Document SA-CATS-FCL61.

**Period of validity**

**61.08.8** (1) Subject to the payment of the annual currency fee prescribed in Part 187

- (a) An airline transport pilot licence (helicopter) shall be issued for a period of 10 years, from the beginning of the month following the month in which it was issued;
- (b) Annual currency fees are due 30 days before original date of issue; ,

- (2) The privileges of the licence shall not be exercised by its holder unless he or she -

- (a) holds a valid Class 1 medical certificate, issued in terms of Part 67;
- (b) in the event that the aviation medical examiner is unable to submit electronic data to the Commissioner, the licence holder has submitted a copy of the medical certificate to the licensing authority as required in Regulation 61.01.10(d);
- (c) complies with the provisions of regulation 61.08.11 ;
- (d) holds a valid, appropriate class rating or type rating by name; and
- (e) complies with the licence revalidation requirements.

**Privileges of airline transport pilot licence (helicopter)**

**61.08.9** (1) The holder of an airline transport pilot licence (helicopter) shall be entitled, in any helicopter for which he or she holds the appropriate type or class rating and subject to regulation 61.08.1 1, to –

- (a) exercise all the privileges of a private and a commercial pilot licence (helicopter); provided that an airline transport pilot (helicopter) shall be the holder of an instrument rating before he may exercise the privileges of the holder of an instrument rating; and

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- (b) act as pilot-in-command in commercial air transport **operations** in any helicopter certified for single-pilot operation.
- (2) The holder of a airline transport pilot licence (helicopter) shall not **exercise** any of the **privileges** of his or her licence unless such holder has undergone, during the preceding 24 months, a skill test for **the** issue of a rating, a proficiency check for the revalidation of a rating, or a general revalidation check in terms of sub-regulation **61.01.9(2)**.

### Rating for special purposes

- 61.08.10 (1) The ratings **for** special purposes associated with an airline transport pilot licence (helicopter) are –
- (a) flight instructor rating (helicopter);
  - (b) test flight rating;
  - (c) agricultural pilot rating
  - (d) instrument rating;
  - (e) external **load** rating;
  - (~~g~~) winching rating;
  - (g) **game** or livestock cull rating.
- (2) An application for any rating referred to in sub-regulation (1) shall **be** made in accordance **with** the regulations in Subparts 4, 6, 8, 14, 15, 19, ~~20, 21, 22,~~ 27, 28, 29, 32, 33, 34, 35, and 36 as the case may be.

### Maintenance of competency

- 61.08.11 (1) The holder of an airline transport pilot licence (helicopter) shall not act **as** pilot-in-command of an helicopter, transporting passengers by day, unless such pilot has, within the 90 days immediately preceding ~~the~~ **the** flight, executed as **the** pilot manipulating the controls not less than ~~three~~ **three** circuits including three take-offs and three landings, either by day or by night in an helicopter of the same class as that in which such passenger-carrying flight is to be undertaken, or in a helicopter FSTD approved for the purpose: Provided that where this requirement is satisfied in a multi-engine helicopter, the requirements **shall** be deemed to have been met in respect of single-engine helicopters as well.
- (2) The holder of an airline transport licence (helicopter) shall not act **as** pilot-in-command of an helicopter, transporting passengers by night, unless such pilot has --

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- (a) within the 90 days immediately preceding the flight, executed as the pilot manipulating the controls not less than three circuits including three take-offs and three landings, by night in a helicopter of the same class as that in which such passenger-carrying flight is to **be** undertaken, **or** in a helicopter **FSTD** approved for the purpose: Provided that where this requirement **is** satisfied in a multi-engine helicopter, the requirement shall be deemed to have been met in respect of single-engine helicopters as well.
- (3) The holder of an airline transport pilot licence (helicopter) shall not act as pilot-in-command of an helicopter on an instrument approach to an aerodrome in **IMC** unless such pilot is the holder of a valid instrument rating and has, within the 90 days immediately preceding such approach, by means of an instrument approach procedure or procedures, established by the Commissioner or an appropriate authority -
- (a) executed at least two approaches in an helicopter, either under actual or simulated conditions, with reference to flight instruments only; or
- (b) executed at least one approach in an helicopter, either under actual or simulated conditions, with reference to flight instruments only, and one approach in a helicopter **FSTD** approved for the purpose of practising instrument approach procedures; or
- (c) executed at least two approached in a helicopter **FSTD** approved for the purpose of practising instrument approach procedures; or
- (d) undergone the **skill** test referred to in regulation 61.15.5; and
- (e) flown a minimum of 3 hours as pilot-in-command in the six months preceding the skill test referred to in 61.08.11 (1) (c);

**Credit for Pilot and Navigator qualifications of the SA Air Force**

- 61.08.12** (1) A person who has qualified as a pilot instructor or navigator instructor in the **SA** Air Force and who holds a valid commercial pilot licence (helicopter) may be issued with an airline transport pilot licence (helicopter) provided that -
- (a) On written application, the Commissioner may issue, in writing, an exemption in terms of Part 11 from some or all

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technical subjects as prescribed in SA-CATS-FCL 61 except Air Law;

- (b) The applicant shall comply with regulation 61.08.1 (c) and (h); and
  - (c) in respect of a navigator, shall comply with Regulation 61.08.1 (c), (e) (f) and (h).
- (2) This regulation shall remain in force for 5 years from the date of promulgation unless repealed.

**Non-compliance of Requirements**

61.08.13 In the event of the requirements of an airline transport licence not being complied with the holder of an airline-transport licence may automatically continue to exercise the privileges of a commercial pilot licence or a private pilot licence as the case may be, subject to the requirements of the respective licences having been met.

## NOTE

PROPOSED AMENDMENTS OF SA-CATS-Documents which have been approved for publication for comment are published on the CAA website, [www.caa.co.za](http://www.caa.co.za). Such comments to reach the CARCOM Secretariat by no later than 11 February 2006.

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