



Date: 11 January 2008

General information release

NTCA regulations – progress on alignment

Dear Aero Club of South Africa member

The promulgation of the various parts of the South African Civil Aviation Regulations dealing with our sector of the industry has led to uncertainty and frustration since the latter part of 2007.

Without dealing in detail with the history of the creation of Part 24, Airworthiness of NTCA, and Part 94, Operation of NTCA, as well as Part 96, Commercial Operation of NTCA, it may be beneficial to mention the reasons for these parts not having been promulgated at the first instance, and why these were made effective by way of general exemption by the Commissioner during 2002.

Once the parts were finally agreed upon between the CAA and representatives of our industry, they were put into operation by means of an exemption in terms of Part 11.

The intention was to test, and if need be, tweak slightly before official promulgation (the official process whereby the Minister signs the regulations to attach permanent legal force).

Many changes in senior personnel at the CAA caused this to be placed on the back burner.

With it being finally prepared for promulgation, some CAA inspectors had a re-look at these regulations and seemingly extended alternative interpretation, and in some instances, amended the regulations without following the CARCOM process.

Some of these issues include;

- * Issuing of Built Numbers to those wishing to start an aeroplane building project.
- * Registering aircraft
- * What are design criteria?
- * The carriage of logbooks
- * The time duration validity on Proving Authorities to Fly
- * Advise and recommendations by some manufacturers are read as obligatory and mandatory
- * The Commissioners' ability to approve foreign manufacturers
- * Owner maintenance
- * Engineering design analysis
- * Static testing: limit loads v ultimate loads

The Aero Club was also presented with a list of 102 aircraft awaiting registration, some in excess of a year, and another 30 awaiting a built number.

During a meeting convened at the EAA Auditorium on 17 November 2007, where members of the industry as well as the CAA had a close look at some of the perceived difficulties in the regulations, it was noted that various versions of the regulations were in circulation. Some of the differences were material.

On 27 November 2007 During a CAA – Industry liaison meeting these issues were raised at the CAA's highest consultative forum.

On 11 December 2007 the CAA issued a POLICY STATEMENT RE NTCA.

On 13 December 2007 the Executive of the CAA approved the appointment of a special task group comprising of senior SACAA technical staff and Aero Club representing the industry.

It is the function of this group to consider the issues at hand, prioritise and propose solutions.

On 14 December 2007 the group met. A non-exhaustive list of 20 issues was prepared, and suggested solutions discussed.

The outcome of the meeting is;

- * Interpretation of the regulation be clarified.
- * To ensure that the regulations are aligned with the intention of the original drafters, and where necessary, to amend the regulations to reflect same.
- * To visit Parts 43 and 47 to align these with Parts 24 and 94
- * For the Commissioner to issue a policy statement once presented with the work, dealing with interim solutions.
- * To present the findings to CARCOM to update the regulations and submit this as an amendment for promulgation

On 24 December 2007 Mr. Cor Beek, the editor of the publication "Aviation Legislation in South Africa" submitted to this office his provisional interpretation of the problems encountered.

On 1 January 2008 Mr. Colin Jordaan took office as CEO and Commissioner of the CAA

On 8 January 2008 the second meeting of the task group took place with the newly appointed CEO and Commissioner.

At this meeting Mr. Jordaan was apprised of the issues, its effect and the work groups agenda.

Mr. Jordaan is committed to solving these issues, and pledged his support to escalate the priority of finding solutions.

With the regulations now being promulgated, there is certainty as to which regulations are now in effect.

Amendments will now be prepared with urgency and presented to the Commissioner.

We will keep you abreast of developments in this regard.

Yours faithfully

Stan Oliver
CHAIRMAN