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GENERAL NOTICE

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General Notice

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GENERAL NOTICE

NOTICE 1587 OF 2008

AVIATION ACT 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 (CARCOM) hereby publishes for 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. Jabulane Mashinini or Mr. Herman Wildenboer, Private Bag 73 Halfway House, 1685, fax: (011) 545-1201, or e-mail at mashinini@caa.co.za or wildenboerh@caa.co.za, before or on 23 January 2009.

Schedule 1

PROPOSAL FOR THE AMENDMENT OF PART 24 OF THE CIVIL AVIATION REGULATIONS, 1997

A. PROPOSER

AIRSTREAM
P. O. Box 73351
Lynwood Ridge
Pretoria
0001

1. PROPOSAL TO AMEND REGULATION 24.02.2 OF THE REGULATIONS

1.1 It is hereby proposed to amend Regulation 24.02.2 by –

- (a) the substitution in paragraph (a) of sub-regulation (1) for sub-paragraph (ii) of the following sub-paragraph:
 - “(ii) the aircraft, other than an amateur-built aircraft, was manufactured by an organization approved by the Commissioner in terms of regulation 24.04.1 or assembled by an approved person or under his or her supervision;”;
- (b) the substitution in paragraph (b) of sub-regulation (1) for sub-paragraph (iv) of the following sub-paragraph:
 - “(iv) where the aircraft is a production-built aircraft which has not been previously issued with an authority to fly or similar certificate by a civil aviation authority, it was manufactured by an organisation approved

by the Commissioner in terms of regulation 24.04.1 or assembled by an approved person or under his or her supervision;”.

1.2 Current Regulation

24.02.2 (1) An applicant for the issuing of an Authority to Fly for a non-type certificated aircraft, or an amendment thereof, shall provide the Commissioner or, if applicable, the organization designated for the purpose in terms of Part 149 of these Regulations, as the case may be, with proof that, in the case of –

- (a) a non-type certificated aircraft, built in the Republic, –
 - (i) the provisions of Document SA-CATS-NTCA in respect of proving flights and of performance, handling and strength tests have been complied with; and
 - (ii) the aircraft, other than an amateur-built aircraft, was manufactured or assembled by an organization approved by the Commissioner in terms of regulation 24.04.1;
- (b) an imported non-type certificated aircraft, where the owner requests the aircraft to be registered in the South African Civil Aircraft Register, the aircraft –
 - (i) has been de-registered in the country of export or was never registered;
 - (ii) had been issued with a Certificate of Airworthiness, an Authority to Fly, or similar certificate by the military or civil aviation authority of the country of de-registration; and
 - (iii) complies with all the applicable provisions of this Part; or
 - (iv) where the aircraft is a production-built aircraft which has not been previously issued with an Authority to Fly or similar certificate by a civil aviation authority, it was manufactured or assembled by an organisation approved by the Commissioner in terms of regulation 24.04.1.

2. PROPOSAL TO SUBSTITUTE REGULATION 24.04.1 OF THE REGULATIONS

2.1 It is hereby proposed to substitute Regulation 24.04.1 with the following regulation:

“Application

24.04.1 An applicant for the approval of a manufacturing organisation shall meet those provisions of Part 148 of these Regulations, which the Commissioner deems to be applicable.”.

4. PROPOSAL TO AMEND REGULATION 24.02.9 OF THE REGULATIONS

4.1 It is hereby proposed to amend Regulation 24.02.9 by the substitution for in sub-regulation (1) for paragraph (b) of the following paragraph:

“(b) if the provisions of paragraph (a) have not or cannot be met, an inspection equivalent to an annual inspection has been carried out by a suitably qualified person other than the original owner, and the aircraft has been certified to be airworthy.”.

4.2 Current Regulation

(b) if the provisions of paragraph (a) have not or cannot be met, an inspection equivalent to an annual inspection has been carried out by a suitably qualified person other than the original owner, and the aircraft has been certified to be airworthy.

4.3 Motivation

The amendment is necessary to rectify a grammatical error.

5. PROPOSAL TO AMEND REGULATION 24.03.2 OF THE REGULATIONS

5.1 It is hereby proposed to amend Regulation 24.03.2 by the substitution for sub-regulation (1) of the following sub-regulation:

“(1) A non-type certificated aircraft, specified in sub-regulation 24.01.1(1) and classified in paragraphs (a) to (g) of sub-regulation 24.01.1(2), shall undergo an annual inspection not later than 365 days since the previous annual inspection, or an inspection equivalent to an annual inspection, was carried out.”.

5.2 Current Regulation

(1) A non-type certificated aircraft, specified in sub-regulation 121.01.1(1) and classified in paragraphs (a) to (g) of sub-regulation 24.01.1(2), shall undergo an annual inspection not later than 365 days since the previous annual inspection, or an inspection equivalent to an annual inspection, was carried out.

5.3. Motivation

The amendment is necessary to rectify an incorrect reference.

Schedule 2**PROPOSAL FOR THE AMENDMENT OF PART 24 AND 43 OF THE CIVIL AVIATION REGULATIONS, 1997****A. PROPOSER**

**SACAA
Private Bag X73
HALFWAY HOUSE
1685**

B. PROPOSER'S INTEREST

The proposer has been established in terms of the South African Civil Aviation Act, 1998, (Act No. 40 of 1998), to control and regulate civil aviation in South Africa and to oversee the functioning and development of the civil aviation industry, and, in particular, to control, regulate and promote civil aviation safety and security.

1. PROPOSAL TO AMEND REGULATION 24.01.2 OF THE REGULATIONS

- 1.1 It is hereby proposed to amend Regulation 24.01.2 by the substitution for sub-regulation (3) of the following sub-regulation:

“(3) The Commissioner may consider –

- (a) a foreign manufacturing organization as being approved by the Commissioner if that facility was approved by an appropriate authority;
- (b) a non-type certificated aircraft type as being approved by the Commissioner if the aircraft type was approved by an appropriate foreign authority.”.

1.2 Current Regulation

“(3) The Commissioner may consider a foreign manufacturing organization as being approved by the Commissioner if that facility was approved by an appropriate authority.”.

2. PROPOSAL TO AMEND REGULATION 24.02.2 OF THE REGULATIONS

- 2.1 It is hereby proposed to amend Regulation 24.02.2 by the deletion of sub-regulation (2).

2.2 Current Regulation

“(2) Prospective owners of an aircraft referred to in paragraph (b) of sub-regulation (1) shall first consult the Commissioner and obtain approval before importing such an aircraft.”.

3. PROPOSAL TO INSERT REGULATION 24.03.1A IN THE REGULATIONS

- 3.1 It is hereby proposed to insert Regulation 24.03.1A after Regulation 24.03.1:

“Owner maintenance

24.03.1 A (1) The owner of a non-type certificated aircraft may carry out maintenance on the aircraft, excluding the annual inspection referred to in regulation 24.03.2, provided that such aircraft is operated only in accordance with Part 94 and not Part 96 of these regulations.

3.2 Current Regulation

Does not exist.

4. PROPOSAL TO AMEND REGULATION 43.02.2 OF THE REGULATIONS

- 4.1 It is hereby proposed to amend Regulation 43.02.2 by the addition in sub-regulation (3) after paragraph (b) of the following paragraph:

“(c) is the owner of the aircraft, and such maintenance is conducted as contemplated in regulation 24.03.1A.”.

4.2 Current Regulation

“Persons to carry out maintenance

43.02.2 (1) Subject to the provisions of sub-regulations (2) and (3), no person shall carry out maintenance on an aircraft or aircraft component unless such person –

- (a) is the holder of an aircraft maintenance engineer licence with an appropriate rating issued in terms of Part 66;
- (b) carries out maintenance under the direct supervision of the holder of an aircraft maintenance engineer licence with an appropriate rating issued in terms of Part 66; or
- (c) is authorised by the holder of an aircraft maintenance organisation approval with an appropriate rating issued in terms of Part 145, to carry out maintenance within the scope of such approval.”.

Motivation for all amendments:

While it is not practical to review in full the discussions giving rise to the agreement to amend the CAR's to allow for owners of NTCA's which are used for private purposes only (i.e. – are not used for “commercial air transport operations” as defined, or for “flight training”) to perform maintenance on their aircraft, some of the considerations which were considered include.

- (a) The fact that numerous NTCA owners in South Africa have historically maintained their aircraft and are able to do so;
- (b) That the LS1 document from which the current regulations evolved allowed owner maintenance, while the issue has apparently been omitted from the CAR's;
- (c) Allowing owner maintenance promotes interest in NTCA's and their operation and may improve aviation accessibility for the public;
- (d) In certain cases owners are also the builders of their aircraft and are best positioned to maintain such aircraft;
- (e) Analysis reflects that only a very small number of NTCA incidents and accidents are caused by maintenance, the vast majority being caused by poor decision making;
- (f) NTCA's reflect the entry level aviation class and maintenance of owners' aircraft in many cases comprises an integral part of the owner's interest and enjoyment of the aircraft;
- (g) Owner maintenance will not interfere in any way with the requirement for an annual inspection of aircraft by an independent and qualified person;
- (h) It is unlikely that the owners of complex aircraft who are not experts are likely to choose to maintain their own aircraft;

- (i) Owners of NTCA's are held responsible for their own aircraft and no commercial use of aircraft maintained by owners who are not qualified persons will be allowed.

Schedule 3

PROPOSAL FOR THE AMENDMENT OF SA-CARS PART 65 OF THE CIVIL AVIATION REGULATIONS, 1997

A. PROPOSER

ATNS

Isando Industrial Park,
Hulley Rd,
Kempton Park,
1620

1. PROPOSAL TO INSERT REGULATIONS 65.03.12; 65.04.12; 65.05.12; 65.06.12; 65.07.12; 65.08.12; 65.09.12; 65.10.12; 65.11.12; 65.12.12 IN THE REGULATIONS

- 1.1 It is hereby proposed to insert the following new regulations in Part 65 of the Regulations:

“Endorsement of an air traffic service assistant validation

65.03.12 The Commissioner shall endorse an air traffic service assistant validation issued terms of Regulation 65.03.7 with the applicable ATS positions upon which the holder is entitled to exercise the privileges of the rating.”;

“Endorsement of an air traffic service assistant (co-ordinator) validation

65.04.12 The Commissioner shall endorse an air traffic service assistant (co-ordinator) validation issued in terms of Regulation 65.04.7 with the applicable ATS positions upon which the holder is entitled to exercise the privileges of the rating.”;

“Endorsement of an air traffic service assistant (clearance delivery) validation

65.05.12 The Commissioner shall endorse an air traffic service assistant (clearance delivery) validation issued in terms of Regulation 65.05.7 with the applicable ATS positions upon which the holder is entitled to exercise the privileges of the rating.”;

“Endorsement of an air traffic service assistant (flight information service) validation

65.06.12 The Commissioner shall endorse an air traffic service assistant (flight information service) validation issued in terms of Regulation 65.06.7 with the applicable ATS positions upon which the holder is entitled to exercise the privileges of the rating.”;

“Endorsement of an air traffic service assistant (aerodrome flight information service) validation

65.07.12 The Commissioner shall endorse an air traffic service assistant (aerodrome flight information service) validation issued in terms of Regulation 65.07.7 with the applicable ATS positions upon which the holder is entitled to exercise the privileges of the rating.”;

“Endorsement of an aerodrome control validation

65.08.12 The Commissioner shall endorse an aerodrome control validation issued in terms of Regulation 65.08.7 with the applicable ATS positions upon which the holder is entitled to exercise the privileges of the rating.”;

“Endorsement of an approach control validation

65.09.12 The Commissioner shall endorse an approach control validation issued in terms of Regulation 65.09.7 with the applicable ATS positions upon which the holder is entitled to exercise the privileges of the rating.”;

“Endorsement of an area control validation

65.10.12 The Commissioner shall endorse an area control validation as issued in Regulation 65.10.7 with the applicable ATS positions upon which the holder is entitled to exercise the privileges of the rating.”;

“Endorsement of an approach control (ATS surveillance) validation

65.11.12 The Commissioner shall endorse an approach control (ATS surveillance) validation issued in terms of Regulation 65.11.7 with the applicable ATS positions upon which the holder is entitled to exercise the privileges of the rating.”;

“Endorsement of an area control (ATS surveillance) validation

65.12.12 The Commissioner shall endorse an area control (ATS surveillance) validation issued in terms of Regulation 65.12.7 with the applicable ATS positions upon which the holder is entitled to exercise the privileges of the rating.”.

1.2 Current Regulations

None.

1.3 Motivation

The current regulations do not provide for the individual position endorsement within the ATS license.

2. PROPOSAL TO SUBSTITUTE REGULATION 65.03.9 OF THE REGULATIONS

2.1 It is hereby proposed to substitute the following regulation for Regulation 65.03.9:

“Duration of validation or renewal of air traffic assistant rating

65.03.9 (1) An air traffic service assistant validation shall be valid for a period not exceeding 12 months calculated from the date of validation of the rating or from the date of the last competency assessment completed to renew such validation in accordance with the provisions of Regulation 65.03.10 or 65.03.11, as the case may be.

(2) An air traffic service assistant rating shall expire if such rating is not validated within 12 months of issue or revalidated within a period of 24 months, calculated from the date on which such rating was validated, or calculated from the date of the last competency assessment completed to renew the validation, as the case may be.

(3) A rating that has expired may be renewed no later than 36 months after the expiry of such rating subject to a competency assessment completed as described in Document SA-CATS-ATSPL for the re-issue of a rating.

(4) A rating that has expired shall be withdrawn after a period of 36 months from expiry if an applicant has not applied to have such rating re-issued.”.

2.2 Current regulation**Duration of validation or renewal**

65.03.9 (1) An air traffic service assistant rating shall be validated or renewed for a period of 24 months calculated from the date of validation of the rating or from the date of expiry of the rating if such rating is revalidated or renewed in accordance with the provisions of Regulation 65.03.10 or 65.03.11, as the case may be.

(2) The rating shall expire if not revalidated within a period of 24 months, calculated from the date on which such rating was validated.

3. PROPOSAL TO SUBSTITUTE REGULATION 65.03.10 OF THE REGULATIONS

3.1 It is hereby proposed to substitute the following regulation for Regulation 65.03.10:

“Renewal of air traffic service assistant validation

65.03.10 (1) To renew an air traffic service assistant validation, the holder thereof shall, prior to the expiry of the validation, have passed a competency assessment as prescribed in Document SA-CATS-ATSPL, conducted by a validation examiner in accordance with the provisions of Regulation 65.01.9 and 65.13.9.

(2) Subject to the provisions of sub-regulation (3), the validation examiner shall provide the Commissioner with a signed certificate of competency as prescribed in Document SA-CATS-ATSPL.

(3) If the result of the competency assessment contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in Regulation 65.09.8, the validation examiner shall –

- (a) report such result to the Commissioner;
- (b) suspend the applicable validation as contemplated in Regulation 65.01.10; and
- (c) ensure that such holder of the rating does not exercise the privileges of such until such time compliance with the minimum standard has been proven for the re-issue of the applicable validation.”.

3.2 Current Regulation

Revalidation of air traffic service assistant rating

65.03.10 (1) To revalidate an air traffic service assistant rating, the holder thereof shall within the 90 days immediately preceding the date of expiry of the rating,

have passed a proficiency check as prescribed in Document SA-CATSATSPL, conducted by a validation examiner.

(2) Subject to the provisions of sub-regulation (3), the validation examiner shall –

- (a) provide the Commissioner with the appropriate certificate of competency as prescribed in Document SA-CATS-ATSPL; and
- (b) sign the appropriate page of the licence of the holder of the rating.

(3) If the result of the proficiency check contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in Regulation 65.03.8, the validation examiner shall –

- (a) report such result to the Commissioner; and
- (b) not sign the appropriate page of the licence of the holder of the rating.

4. PROPOSAL TO SUBSTITUTE REGULATION 65.03.11 OF THE REGULATIONS

4.1 It is hereby proposed to substitute the following regulation for Regulation 65.03.11:

Renewal of an expired air traffic service assistant rating

65.03.11 (1) To renew an air traffic service assistant rating which has expired as contemplated in Regulation 65.03.9 (2), the holder of the expired rating shall apply to the Commissioner for the renewal of such expired rating.

(2) Upon application for the renewal of an expired rating referred to in sub-regulation (1), the Commissioner shall renew the rating if the applicant complies with the requirements referred to in Document SA-CATS-ATSPL for the renewal of such rating.

(3) The provisions of Regulations 65.03.3 and 65.03.6 shall apply *mutatis mutandis* to an application referred to in sub-regulation (1).

4.2 Current Regulation

Renewal of air traffic service assistant rating

65.03.11 (1) To renew an air traffic service assistant rating which has expired due to the lapse of the period referred to in Regulation 65.03.9, the holder of the expired rating shall apply to the Commissioner for the renewal of such expired rating.

(2) Upon application for the renewal of an expired rating referred to in sub-regulation (1), the Commissioner shall renew the rating if the applicant complies with the requirements referred to in Regulation 65.03.1 and if at least 50 percent of the experience referred to in Regulation 65.03.5 has been acquired.

(3) The provisions of regulations 65.03.3 and 65.03.6 shall apply *mutatis mutandis* to an application referred to in sub-regulation (1).

5. PROPOSAL TO SUBSTITUTE REGULATION 65.04.9 OF THE REGULATIONS

5.1 It is hereby proposed to substitute the following regulation for Regulation 65.04.9:

“Duration of validation or renewal of an air traffic assistant (co-ordinator) rating

65.04.9 (1) An air traffic service assistant (co-ordinator) validation shall be valid for a period not exceeding 12 months calculated from the date of validation of the rating or from the date of the last competency assessment completed to renew such validation in accordance with the provisions of Regulation 65.03.10 or 65.03.11, as the case may be.

(2) An air traffic service assistant (co-ordinator) rating shall expire if such rating is not validated within 12 months of issue or revalidated within a period of 24 months, calculated from the date on which such rating was validated, or calculated from the date of the last competency assessment completed to renew the validation, as the case may be.

(3) A rating that has expired may be renewed no later than 36 months after the expiry of such rating subject to a competency assessment completed as described in Document SA-CATS-ATSPL for the re-issue of a rating.

(4) A rating that has expired shall be withdrawn after a period of 36 months from expiry if an applicant has not applied to have such rating re-issued.

5.2 Current Regulation

Duration of validation or renewal

65.04.9 (1) An air traffic service assistant (co-ordinator) rating shall be validated or renewed for a period of 12 months calculated from the date of validation of the rating or from the date of expiry of the rating if such rating is revalidated or renewed in accordance with the provisions of Regulation 65.04.10 or 65.04.11, as the case may be.

(2) The rating shall expire if not revalidated within a period of 24 months, calculated from the date on which such rating was validated.

6. PROPOSAL TO SUBSTITUTE REGULATION 65.04.10 OF THE REGULATIONS

6.1 It is hereby proposed to substitute the following regulation for Regulation 65.04.10:

“Renewal of air traffic service assistant (co-ordinator) validation

65.04.10 (1) To renew an air traffic service assistant (co-ordinator) validation, the holder thereof shall prior to the expiry of the validation, have passed a competency assessment as prescribed in Document SA-CATS-ATSPL, conducted by a validation examiner in accordance with the provisions of Regulation 65.01.9 and 65.13.9.

(2) Subject to the provisions of sub-regulation (3), the validation examiner shall provide the Commissioner with a signed certificate of competency as prescribed in Document SA-CATS-ATSPL.

(3) If the result of the competency assessment contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in Regulation 65.09.8, the validation examiner shall –

- (a) report such result to the Commissioner;
- (b) suspend the applicable validation as in accordance of Regulation 65.01.10; and
- (c) ensure that such holder of the rating does not exercise the privileges of such until such time compliance with the minimum standard has been proven for the re-issue of the applicable validation.

6.2 Current Regulation

Revalidation of air traffic service assistant (co-ordinator) rating

65.04.10 (1) To revalidate an air traffic service assistant (coordinator) rating, the holder thereof shall within the 90 days immediately preceding the date of expiry of the rating, have passed a proficiency check as prescribed in Document SA-CATS-ATSPL, conducted by a validation examiner.

(2) Subject to the provisions of sub-regulation (3), the validation examiner shall –

- (a) provide the Commissioner with the appropriate certificate of competency as prescribed in Document SA-CATS-ATSPL; and
- (b) sign the appropriate page of the licence of the holder of the rating.

(3) If the result of the proficiency check contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in Regulation 65.04.8, the validation examiner shall –

- (a) report such result to the Commissioner; and
- (b) not sign the appropriate page of the licence of the holder of the rating.

7. PROPOSAL TO SUBSTITUTE REGULATION 65.04.11 OF THE REGULATIONS

7.1 It is hereby proposed to substitute the following regulation for Regulation 65.04.11:

“Renewal of an expired air traffic service assistant (co-ordinator) rating

65.04.11 (1) To renew an air traffic service assistant (co-ordinator) rating which has expired as contemplated in Regulation 65.03.9 (2), the holder of the expired rating shall apply to the Commissioner for the renewal of such expired rating.

(2) Upon application for the renewal of an expired rating referred to in sub-regulation (1), the Commissioner shall renew the rating if the applicant complies with the requirements referred to in Document SA-CATS-ATSPL for the renewal of such rating.

(3) The provisions of Regulations 65.03.3 and 65.03.6 shall apply *mutatis mutandis* to an application referred to in sub-regulation (1).

7.2 Current Regulation

Renewal of air traffic service assistant (coordinator) rating

65.04.11 (1) To renew an air traffic service assistant (coordinator) rating which has expired due to the lapse of the period referred to in Regulation 65.04.9, the holder of the expired rating shall apply to the Commissioner for the renewal of such expired rating.

(2) Upon application for the renewal of an expired rating referred to in sub-regulation (1), the Commissioner shall renew the rating if the applicant complies with the requirements referred to in Regulation 65.04.1 and if at least 50 percent of the experience referred to in Regulation 65.04.5 has been acquired.

(3) The provisions of Regulations 65.04.3 and 65.04.6 shall apply *mutatis mutandis* to an application referred to in sub-regulation (1).

8. PROPOSAL TO SUBSTITUTE REGULATION 65.05.9 OF THE REGULATIONS

8.1 It is hereby proposed to substitute the following regulation for Regulation 65.05.9:

“Duration of validation or renewal of an air traffic assistant (clearance delivery) rating

65.05.9 (1) An air traffic service assistant (clearance delivery) validation shall be valid for a period not exceeding 12 months calculated from the date of validation of the rating or from the date of the last competency assessment completed to renew such validation in accordance with the provisions of Regulation 65.03.10 or 65.03.11, as the case may be.

(2) An air traffic service assistant (clearance delivery) rating shall expire if such rating is not validated within 12 months of issue or revalidated within a period of 24 months, calculated from the date on which such rating was validated, or calculated from the date of the last competency assessment completed to renew the validation, as the case may be.

(3) A rating that has expired may be renewed no later than 36 months after the expiry of such rating subject to a competency assessment completed as described in Document SA-CATS-ATSPL for the re-issue of a rating.

(4) A rating that has expired shall be withdrawn after a period of 36 months from expiry if an applicant has not applied to have such rating re-issued.”.

8.2 Current Regulation

Duration of validation or renewal

65.05.9 (1) An air traffic service assistant (clearance delivery) rating shall be validated or renewed for a period of 12 months calculated from the date of validation of the rating or from the date of expiry of the rating if such rating is revalidated or renewed in accordance with the provisions of Regulation 65.05.10 or 65.05.11, as the case may be.

(2) The rating shall expire if not revalidated within a period of 24 months, calculated from the date on which such rating was validated.

9. PROPOSAL TO SUBSTITUTE REGULATION 65.05.10 OF THE REGULATIONS

9.1 It is hereby proposed to substitute the following regulation for Regulation 65.05.10:

“Renewal of air traffic service assistant (clearance delivery) validation

65.05.10 (1) To renew an air traffic service assistant (clearance delivery) validation, the holder thereof shall prior to the expiry of the validation, have passed a competency assessment as prescribed in Document SA-CATS- ATSP, conducted by a validation examiner in accordance with the provisions of Regulation 65.01.9 and 65.13.9.

(2) Subject to the provisions of sub-regulation (3), the validation examiner shall provide the Commissioner with a signed certificate of competency as prescribed in Document SA-CATS-ATSPL.

(3) If the result of the competency assessment contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in Regulation 65.09.8, the validation examiner shall –

- (a) report such result to the Commissioner; and
- (b) suspend the applicable validation as in accordance of Regulation 65.01.10;
- (c) ensure that such holder of the rating does not exercise the privileges of such until such time compliance with the minimum standard has been proven for the re-issue of the applicable validation.

9.2 Current Regulation

Revalidation of air traffic service assistant (clearance delivery) rating

65.05.10 (1) To revalidate an air traffic service assistant (clearance delivery) rating, the holder thereof shall within the 90 days immediately preceding the date of expiry of the rating, have passed a proficiency check as prescribed in Document SA-CATS-ATSPL, conducted by a validation examiner.

(2) Subject to the provisions of sub-regulation (3), the validation examiner shall –

- (a) provide the Commissioner with the appropriate certificate of competency as prescribed in Document SA-CATS-ATSPL; and
- (b) sign the appropriate page of the licence of the holder of the rating.

(3) If the result of the proficiency check contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in Regulation 65.05.8, the validation examiner shall –

- (a) report such result to the Commissioner; and
- (b) not sign the appropriate page of the licence of the holder of the rating.

10. PROPOSAL TO SUBSTITUTE REGULATION 65.05.11 OF THE REGULATIONS

10.1 It is hereby proposed to substitute the following regulation for Regulation 65.05.11:

“Renewal of an expired air traffic service assistant (clearance delivery) rating

65.05.11 (1) To renew an air traffic service assistant (clearance delivery) rating which has expired as contemplated in Regulation 65.03.9 (2), the holder of the expired rating shall apply to the Commissioner for the renewal of such expired rating.

(2) Upon application for the renewal of an expired rating referred to in sub-regulation (1), the Commissioner shall renew the rating if the applicant complies with the requirements referred to in Document SA-CATS-ATSPL for the renewal of such rating.

(3) The provisions of Regulations 65.03.3 and 65.03.6 shall apply *mutatis mutandis* to an application referred to in sub-regulation (1).”

10.2 Current Regulation

Renewal of air traffic service assistant (clearance delivery) rating

65.05.11 (1) To renew an air traffic service assistant (clearance delivery) rating which has expired due to the lapse of the period referred to in Regulation 65.05.9, the holder of the expired rating shall apply to the Commissioner for the renewal of such expired rating.

(2) Upon application for the renewal of an expired rating referred to in sub-regulation (1), the Commissioner shall renew the rating if the applicant complies with the requirements referred to in Regulation 65.05.1 and if at least 50 percent of the experience referred to in Regulation 65.05.5 has been acquired.

(3) The provisions of regulations 65.05.3 and 65.05.6 shall apply *mutatis mutandis* to an application referred to in sub-regulation (1).

11. PROPOSAL TO SUBSTITUTE REGULATION 65.06.9 OF THE REGULATIONS

11.1 It is hereby proposed to substitute the following regulation for Regulation 65.06.9:

“Duration of validation or renewal of an air traffic assistant (flight information service) rating

65.06.9 (1) An air traffic service assistant (flight information service) validation shall be valid for a period not exceeding 12 months calculated from the date of validation of the rating or from the date of the last competency assessment completed to renew such validation in accordance with the provisions of Regulation 65.03.10 or 65.03.11, as the case may be.

(2) An air traffic service assistant (flight information service) rating shall expire if such rating is not validated within 12 months of issue or revalidated within a period of 24 months, calculated from the date on which such rating was validated, or calculated from the date of the last competency assessment completed to renew the validation, as the case may be.

(3) A rating that has expired may be renewed no later than 36 months after the expiry of such rating subject to a competency assessment completed as described in Document SA-CATS-ATSPL for the re-issue of a rating.

(4) A rating that has expired shall be withdrawn after a period of 36 months from expiry if an applicant has not applied to have such rating re-issued.”.

11.2 Current Regulation

Duration of validation or renewal

65.06.9 (1) An air traffic service assistant (flight information service) rating shall be validated or renewed for a period of 12 months calculated from the date of validation of the rating or from the date of expiry of the rating if such rating is revalidated or renewed in accordance with the provisions of Regulation 65.06.10 or 65.06.11, as the case may be.

(2) The rating shall expire if not revalidated within a period of 24 months, calculated from the date on which such rating was validated.”.

12. PROPOSAL TO SUBSTITUTE REGULATION 65.06.10 OF THE REGULATIONS

12.1 It is hereby proposed to substitute the following regulation for Regulation 65.06.10:

“Renewal of air traffic service assistant (flight information service) validation

65.06.10 (1) To renew an air traffic service assistant (flight information service) validation, the holder thereof shall prior to the expiry of the validation, have passed a competency assessment as prescribed in Document SA-CATS-ATSPL, conducted by a validation examiner in accordance with the provisions of Regulation 65.01.9 and 65.13.9.

(2) Subject to the provisions of sub-regulation (3), the validation examiner shall provide the Commissioner with a signed certificate of competency as prescribed in Document SA-CATS-ATSPL.

(3) If the result of the competency assessment contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in Regulation 65.09.8, the validation examiner shall –

- (a) report such result to the Commissioner;
- (b) suspend the applicable validation as in accordance of Regulation 65.01.10; and
- (c) ensure that such holder of the rating does not exercise the privileges of such until such time compliance with the minimum standard has been proven for the re-issue of the applicable validation.”.

12.2 Current Regulation**Revalidation of air traffic service assistant (flight information service) rating**

65.06.10 (1) To revalidate an air traffic service assistant (flight information service) rating, the holder thereof shall within the 90 days immediately preceding the date of expiry of the rating, have passed a proficiency check as prescribed in Document SA-CATS-ATSPL, conducted by a validation examiner.

(2) Subject to the provisions of sub-regulation (3), the validation examiner shall –

- (a) provide the Commissioner with the appropriate certificate of competency as prescribed in Document SA-CATS-ATSPL; and
- (b) sign the appropriate page of the licence of the holder of the rating.

(3) If the result of the proficiency check contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in Regulation 65.06.8, the validation examiner shall –

- (a) report such result to the Commissioner; and
- (b) not sign the appropriate page of the licence of the holder of the rating.

13. PROPOSAL TO SUBSTITUTE REGULATION 65.06.11 OF THE REGULATIONS

13.1 It is hereby proposed to substitute the following regulation for Regulation 65.06.11:

“Renewal of an expired air traffic service assistant (flight information service) rating

65.06.11 (1) To renew an air traffic service assistant (flight information service) rating which has expired as per Regulation 65.03.9 (2), the holder of the expired rating shall apply to the Commissioner for the renewal of such expired rating.

(2) Upon application for the renewal of an expired rating referred to in sub-regulation (1), the Commissioner shall renew the rating if the applicant complies with the requirements referred to in Document SA-CATS-ATSPL for the renewal of such rating.

(3) The provisions of Regulations 65.03.3 and 65.03.6 shall apply *mutatis mutandis* to an application referred to in sub-regulation (1).

13.2 Current Regulation

Renewal of air traffic service assistant (flight information service) rating

65.06.11 (1) To renew an air traffic service assistant (flight information service) rating which has expired due to the lapse of the period referred to in Regulation 65.06.9, the holder of the expired rating shall apply to the Commissioner for the renewal of such expired rating.

(2) Upon application for the renewal of an expired rating referred to in sub-regulation (1), the Commissioner shall renew the rating if the applicant complies with the requirements referred to in Regulation 65.06.1 and if at least 50 percent of the experience referred to in Regulation 65.06.5 has been acquired.

(3) The provisions of Regulations 65.06.3 and 65.06.6 shall apply *mutatis mutandis* to an application referred to in sub-regulation (1).

14. PROPOSAL TO SUBSTITUTE REGULATION 65.07.9 OF THE REGULATIONS

14.1 It is hereby proposed to substitute the following regulation for Regulation 65.07.9:

“Duration of validation or renewal of an air traffic assistant (aerodrome flight information service) rating

65.07.9 (1) An air traffic service assistant (aerodrome flight information service) validation shall be valid for a period not exceeding 12 months calculated from the date of validation of the rating or from the date of the last competency assessment completed to renew such validation in accordance with the provisions of Regulation 65.03.10 or 65.03.11, as the case may be.

(2) An air traffic service assistant (aerodrome flight information service) rating shall expire if such rating is not validated within 12 months of issue or revalidated within a period of 24 months, calculated from the date on which such rating was validated, or calculated from the date of the last competency assessment completed to renew the validation, as the case may be.

(3) A rating that has expired may be renewed no later than 36 months after the expiry of such rating subject to a competency assessment completed as described in Document SA-CATS-ATSPL for the re-issue of a rating.

(4) A rating that has expired shall be withdrawn after a period of 36 months from expiry if an applicant has not applied to have such rating re-issued.”.

14.2 Current Regulation

Duration of validation or renewal

65.07.9 (1) An air traffic service assistant (aerodrome flight information service) rating shall be validated or renewed for a period of 12 months calculated from the date of validation of the rating or from the date of expiry of the rating if such rating is revalidated or renewed in accordance with the provisions of Regulation 65.07.10 or 65.07.11, as the case may be.

(2) The rating shall expire if not revalidated within a period of 24 months, calculated from the date on which such rating was validated.

15. PROPOSAL TO SUBSTITUTE REGULATION 65.07.10 OF THE REGULATIONS

15.1 It is hereby proposed to substitute the following regulation for Regulation 65.07.10:

“Renewal of air traffic service assistant (aerodrome flight information service) validation

65.07.10 (1) To renew an air traffic service assistant (aerodrome flight information service) validation, the holder thereof shall prior to the expiry of the validation, have

passed a competency assessment as prescribed in Document SA-CATS-ATSPL, conducted by a validation examiner in accordance with the provisions of Regulation 65.01.9 and 65.13.9.

(2) Subject to the provisions of sub-regulation (3), the validation examiner shall provide the Commissioner with a signed certificate of competency as prescribed in Document SA-CATS-ATSPL.

(3) If the result of the competency assessment contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in Regulation 65.09.8, the validation examiner shall –

- (a) report such result to the Commissioner; and
- (b) suspend the applicable validation as in accordance of Regulation 65.01.10;
- (c) ensure that such holder of the rating does not exercise the privileges of such until such time compliance with the minimum standard has been proven for the re-issue of the applicable validation.

15.2 Current Regulation

Revalidation of air traffic service assistant (aerodrome flight information service) rating

65.07.10 (1) To revalidate an air traffic service assistant (aerodrome flight information service) rating, the holder thereof shall within the 90 days immediately preceding the date of expiry of the rating, have passed a proficiency check as prescribed in Document SA-CATS-ATSPL, conducted by a validation examiner.

(2) Subject to the provisions of sub-regulation (3), the validation examiner shall –

- (a) provide the Commissioner with the appropriate certificate of competency as prescribed in Document SA-CATS-ATSPL; and
- (b) sign the appropriate page of the licence of the holder of the rating.

(3) If the result of the proficiency check contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in Regulation 65.07.8, the validation examiner shall –

- (a) report such result to the Commissioner; and
- (b) not sign the appropriate page of the licence of the holder of the rating.

16. PROPOSAL TO SUBSTITUTE REGULATION 65.07.11 OF THE REGULATIONS

16.1 It is hereby proposed to substitute the following regulation for Regulation 65.07.11:

“Renewal of an expired air traffic service assistant (aerodrome flight information service) rating

65.07.11 (1) To renew an air traffic service assistant (aerodrome flight information service) rating which has expired as contemplated in Regulation 65.03.9 (2), the holder of the expired rating shall apply to the Commissioner for the renewal of such expired rating.

(2) Upon application for the renewal of an expired rating referred to in sub-regulation (1), the Commissioner shall renew the rating if the applicant complies with the requirements referred to in Document SA-CATS-ATSPL for the renewal of such rating.

(3) The provisions of Regulations 65.03.3 and 65.03.6 shall apply *mutatis mutandis* to an application referred to in sub-regulation (1).”.

16.2 Current Regulation

Renewal of air traffic service assistant (aerodrome flight information service) rating

65.07.11 (1) To renew an air traffic service assistant (aerodrome flight information service) rating which has expired due to the lapse of the period referred to in Regulation 65.07.9, the holder of the expired rating shall apply to the Commissioner for the renewal of such expired rating.

(2) Upon application for the renewal of an expired rating referred to in sub-regulation (1), the Commissioner shall renew the rating if the applicant complies with the requirements referred to in Regulation 65.07.1 and if at least 50 percent of the experience referred to in Regulation 65.07.5 has been acquired.

(3) The provisions of Regulations 65.07.3 and 65.07.6 shall apply *mutatis mutandis* to an application referred to in sub-regulation (1).

17. PROPOSAL TO SUBSTITUTE REGULATION 65.08.9 OF THE REGULATIONS

17.1 It is hereby proposed to substitute the following regulation for Regulation 65.08.9:

“Duration of validation or renewal of aerodrome control rating

65.08.9 (1) An aerodrome control validation shall be valid for a period not exceeding 12 months calculated from the date of validation of the rating or from the date of the last competency assessment completed to renew such validation in accordance with the provisions of Regulation 65.03.10 or 65.03.11, as the case may be.

(2) An aerodrome control rating shall expire if such rating is not validated within 12 months of issue or revalidated within a period of 24 months, calculated from the date on which such rating was validated, or calculated from the date of the last competency assessment completed to renew the validation, as the case may be.

(3) A rating that has expired may be renewed no later than 36 months after the expiry of such rating subject to a competency assessment completed as described in Document SA-CATS-ATSPL for the re-issue of a rating.

(4) A rating that has expired shall be withdrawn after a period of 36 months from expiry if an applicant has not applied to have such rating re-issued.

17.2 Current Regulation**Duration of validation or renewal**

65.08.9 (1) An aerodrome control rating shall be validated or renewed for a period of 12 months calculated from the date of validation of the rating or from the date of expiry of the rating if such rating is revalidated or renewed in accordance with the provisions of Regulation 65.08.10 or 65.08.11, as the case may be.

(2) The rating shall expire if not revalidated within a period of 24 months, calculated from the date on which such rating was validated.

18. PROPOSAL TO SUBSTITUTE REGULATION 65.08.10 OF THE REGULATIONS

18.1 It is hereby proposed to substitute the following regulation for Regulation 65.08.10:

“Renewal of aerodrome control validation

65.08.10 (1) To renew an aerodrome control validation, the holder thereof shall prior to the expiry of the validation, have passed a competency assessment as prescribed in Document SA-CATS-ATSPL, conducted by a validation examiner in accordance with the provisions of Regulation 65.01.9 and 65.13.9.

(2) Subject to the provisions of sub-regulation (3), the validation examiner shall provide the Commissioner with a signed certificate of competency as prescribed in Document SA-CATS-ATSPL.

(3) If the result of the competency assessment contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in Regulation 65.09.8, the validation examiner shall –

- (a) report such result to the Commissioner;
- (b) suspend the applicable validation as in accordance of Regulation 65.01.10; and
- (c) ensure that such holder of the rating does not exercise the privileges of such until such time compliance with the minimum standard has been proven for the re-issue of the applicable validation.”.

18.2 Current Regulation

Revalidation of aerodrome control rating

65.08.10 (1) To revalidate an aerodrome control rating, the holder thereof shall within the 90 days immediately preceding the date of expiry of the rating, have passed a proficiency check as prescribed in Document SA-CATS- ATSPL, conducted by a validation examiner.

(2) Subject to the provisions of sub-regulation (3), the validation examiner shall –

- (a) provide the Commissioner with the appropriate certificate of competency as prescribed in Document SA-CATS-ATSPL; and
- (b) sign the appropriate page of the licence of the holder of the rating.

(3) If the result of the proficiency check contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in Regulation 65.08.8, the validation examiner shall –

- (a) report such result to the Commissioner; and
- (b) not sign the appropriate page of the licence of the holder of the rating.

19. PROPOSAL TO SUBSTITUTE REGULATION 65.08.11 OF THE REGULATIONS

19.1 It is hereby proposed to substitute the following regulation for Regulation 65.08.11:

“Renewal of an expired aerodrome control rating

65.08.11 (1) To renew an aerodrome control rating which has expired as contemplated in Regulation 65.03.9 (2), the holder of the expired rating shall apply to the Commissioner for the renewal of such expired rating.

(2) Upon application for the renewal of an expired rating referred to in sub-regulation (1), the Commissioner shall renew the rating if the applicant complies with the requirements referred to in Document SA-CATS-ATSPL for the renewal of such rating.

(3) The provisions of Regulations 65.03.3 and 65.03.6 shall apply *mutatis mutandis* to an application referred to in sub-regulation (1).”

19.2 Current Regulation**Renewal of aerodrome control rating**

65.08.11 (1) To renew an aerodrome control rating which has expired due to the lapse of the period referred to in Regulation 65.08.9, the holder of the expired rating shall apply to the Commissioner for the renewal of such expired rating.

(2) Upon application for the renewal of an expired rating referred to in sub-regulation (1), the Commissioner shall renew the rating if the applicant complies with the requirements referred to in Regulation 65.08.1 and if at least 50 percent of the experience referred to in Regulation 65.08.5 has been acquired.

(3) The provisions of Regulations 65.08.3 and 65.08.6 shall apply *mutatis mutandis* to an application referred to in sub-regulation (1).

20. PROPOSAL TO SUBSTITUTE REGULATION 65.09.9 OF THE REGULATIONS

20.1 It is hereby proposed to substitute the following regulation for Regulation 65.09.9:

“Duration of validation or renewal of an approach control rating

65.09.9 (1) An approach control validation shall be valid for a period not exceeding 12 months calculated from the date of validation of the rating or from the date of the last competency assessment completed to renew such validation in accordance with the provisions of Regulation 65.03.10 or 65.03.11, as the case may be.

(2) An approach control rating shall expire if such rating is not validated within 12 months of issue or revalidated within a period of 24 months, calculated from the

date on which such rating was validated, or calculated from the date of the last competency assessment completed to renew the validation, as the case may be.

(3) A rating that has expired may be renewed no later than 36 months after the expiry of such rating subject to a competency assessment completed as described in Document SA-CATS-ATSPL for the re-issue of a rating.

(4) A rating that has expired shall be withdrawn after a period of 36 months from expiry if an applicant has not applied to have such rating re-issued.”.

20.2 Current Regulation

Duration of validation or renewal

65.09.9 (1) An approach control rating shall be validated or renewed for a period of 12 months calculated from the date of validation of the rating or from the date of expiry of the rating if such rating is revalidated or renewed in accordance with the provisions of Regulation 65.09.10 or 65.09.11, as the case may be.

(2) The rating shall expire if not revalidated within a period of 24 months, calculated from the date on which such rating was validated.

21. PROPOSAL TO SUBSTITUTE REGULATION 65.09.10 OF THE REGULATIONS

21.1 It is hereby proposed to substitute the following regulation for Regulation 65.09.10:

“Renewal of approach control validation

65.09.10 (1) To renew an approach control validation, the holder thereof shall prior to the expiry of the validation, have passed a competency assessment as prescribed in Document SA-CATS-ATSPL, conducted by a validation examiner in accordance with the provisions of Regulation 65.01.9 and 65.13.9.

(2) Subject to the provisions of sub-regulation (3), the validation examiner shall provide the Commissioner with a signed certificate of competency as prescribed in Document SA-CATS-ATSPL.

(3) If the result of the competency assessment contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in Regulation 65.09.8, the validation examiner shall –

(a) report such result to the Commissioner; and

- (b) suspend the applicable validation as in accordance of Regulation 65.01.10;
- (c) ensure that such holder of the rating does not exercise the privileges of such until such time compliance with the minimum standard has been proven for the re-issue of the applicable validation.”.

21.2 Current Regulation

Revalidation of approach control rating

65.09.10 (1) To revalidate an approach control rating, the holder thereof shall within the 90 days immediately preceding the date of expiry of the rating, have passed a proficiency check as prescribed in Document SA-CATS-ATSPL, conducted by a validation examiner.

(2) Subject to the provisions of sub-regulation (3), the validation examiner shall –

- (a) provide the Commissioner with the appropriate certificate of competency as prescribed in Document SA-CATS-ATSPL; and
- (b) sign the appropriate page of the licence of the holder of the rating.

(3) If the result of the proficiency check contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in Regulation 65.09.8, the validation examiner shall –

- (a) report such result to the Commissioner; and
- (b) not sign the appropriate page of the licence of the holder of the rating.

22. PROPOSAL TO SUBSTITUTE REGULATION 65.09.11 OF THE REGULATIONS

22.1 It is hereby proposed to substitute the following regulation for Regulation 65.09.11:

“Renewal of an expired approach control rating

65.09.11 (1) To renew an approach control rating which has expired as contemplated in Regulation 65.03.9 (2), the holder of the expired rating shall apply to the Commissioner for the renewal of such expired rating.

(2) Upon application for the renewal of an expired rating referred to in sub-regulation (1), the Commissioner shall renew the rating if the applicant

complies with the requirements referred to in Document SA-CATS-ATSPL for the renewal of such rating.

(3) The provisions of Regulations 65.03.3 and 65.03.6 shall apply *mutatis mutandis* to an application referred to in sub-regulation (1).”.

22.2 Current Regulation

Renewal of approach control rating

65.09.11 (1) To renew an approach control rating which has expired due to the lapse of the period referred to in Regulation 65.09.9, the holder of the expired rating shall apply to the Commissioner for the renewal of such expired rating.

(2) Upon application for the renewal of an expired rating referred to in sub-regulation (1), the Commissioner shall renew the rating if the applicant complies with the requirements referred to in Regulation 65.09.1 and if at least 50 percent of the experience referred to in Regulation 65.09.5 has been acquired.

(3) The provisions of Regulations 65.09.3 and 65.09.6 shall apply *mutatis mutandis* to an application referred to in sub-regulation (1).

23. PROPOSAL TO SUBSTITUTE REGULATION 65.10.09 OF THE REGULATIONS

23.1 It is hereby proposed to substitute the following regulation for Regulation 65.10.09:

“Duration of validation or renewal of an area control rating

65.10.09 (1) An area control validation shall be valid for a period not exceeding 12 months calculated from the date of validation of the rating or from the date of the last competency assessment completed to renew such validation in accordance with the provisions of Regulation 65.03.10 or 65.03.11, as the case may be.

(2) An area control rating shall expire if such rating is not validated within 12 months of issue or revalidated within a period of 24 months, calculated from the date on which such rating was validated, or calculated from the date of the last competency assessment completed to renew the validation, as the case may be.

(3) A rating that has expired may be renewed no later than 36 months after the expiry of such rating subject to a competency assessment completed as described in Document SA-CATS-ATSPL for the re-issue of a rating.

(4) A rating that has expired shall be withdrawn after a period of 36 months from expiry if an applicant has not applied to have such rating re-issued.

23.2 Current Regulation

Duration of validation or renewal

65.10.9 (1) An area control rating shall be validated or renewed for a period of 12 months calculated from the date of validation of the rating or from the date of expiry of the rating if such rating is revalidated or renewed in accordance with the provisions of Regulation 65.10.10 or 65.10.11, as the case may be.

(2) The rating shall expire if not revalidated within a period of 24 months, calculated from the date on which such rating was validated.

24. PROPOSAL TO SUBSTITUTE REGULATION 65.10.10 OF THE REGULATIONS

24.1 It is hereby proposed to substitute the following regulation for Regulation 65.10.10:

“Renewal of area control validation

65.10.10 (1) To renew an area control validation, the holder thereof shall prior to the expiry of the validation, have passed a competency assessment as prescribed in Document SA-CATS-ATSPL, conducted by a validation examiner in accordance with the provisions of Regulation 65.01.9 and 65.13.9.

(2) Subject to the provisions of sub-regulation (3), the validation examiner shall provide the Commissioner with a signed certificate of competency as prescribed in Document SA-CATS-ATSPL.

(3) If the result of the competency assessment contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in Regulation 65.09.8, the validation examiner shall –

- (a) report such result to the Commissioner;
- (b) suspend the applicable validation as in accordance of Regulation 65.01.10; and
- (c) ensure that such holder of the rating does not exercise the privileges of such until such time compliance with the minimum standard has been proven for the re-issue of the applicable validation.”.

24.2 Current Regulation

Revalidation of area control rating

65.10.10 (1) To revalidate an area control rating, the holder thereof shall within the 90 days immediately preceding the date of expiry of the rating, have passed a proficiency check as prescribed in Document SA-CATS-ATSPL, conducted by a validation examiner.

(2) Subject to the provisions of sub-regulation (3), the validation examiner shall –

- (a) provide the Commissioner with the appropriate certificate of competency as prescribed in Document SA-CATS-ATSPL; and
- (b) sign the appropriate page of the licence of the holder of the rating.

(3) If the result of the proficiency check contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in Regulation 65.10.8, the validation examiner shall –

- (a) report such result to the Commissioner; and
- (b) not sign the appropriate page of the licence of the holder of the rating.

25. PROPOSAL TO SUBSTITUTE REGULATION 65.10.11 OF THE REGULATIONS

25.1 It is hereby proposed to substitute the following regulation for Regulation 65.10.11:

“Renewal of an expired area control rating

65.10.11 (1) To renew an area control rating which has expired as contemplated in Regulation 65.03.9 (2), the holder of the expired rating shall apply to the Commissioner for the renewal of such expired rating.

(2) Upon application for the renewal of an expired rating referred to in sub-regulation (1), the Commissioner shall renew the rating if the applicant complies with the requirements referred to in Document SA-CATS-ATSPL for the renewal of such rating.

(3) The provisions of Regulations 65.03.3 and 65.03.6 shall apply *mutatis mutandis* to an application referred to in sub-regulation (1).”.

25.2 Current Regulation

Renewal of area control rating

65.10.11 (1) To renew an area control rating which has expired due to the lapse of the period referred to in Regulation 65.10.9, the holder of the expired rating shall apply to the Commissioner for the renewal of such expired rating.

(2) Upon application for the renewal of an expired rating referred to in sub-regulation (1), the Commissioner shall renew the rating if the applicant complies with the requirements referred to in Regulation 65.10.2 and if at least 50 percent of the experience referred to in Regulation 65.10.5 has been acquired.

(3) The provisions of Regulations 65.10.3 and 65.10.6 shall apply *mutatis mutandis* to an application referred to in sub-regulation (1).

26. PROPOSAL TO SUBSTITUTE REGULATION 65.11.9 OF THE REGULATIONS

26.1 It is hereby proposed to substitute the following regulation for Regulation 65.11. 9:

“Duration of validation or renewal of an approach control (ATS surveillance) rating

65.11. 9 (1) An approach control (ATS surveillance) validation shall be valid for a period not exceeding 12 months calculated from the date of validation of the rating or from the date of the last competency assessment completed to renew such validation in accordance with the provisions of Regulation 65.03.10 or 65.03.11, as the case may be.

(2) An approach control (ATS surveillance) rating shall expire if such rating is not validated within 12 months of issue or revalidated within a period of 24 months, calculated from the date on which such rating was validated, or calculated from the date of the last competency assessment completed to renew the validation, as the case may be.

(3) A rating that has expired may be renewed no later than 36 months after the expiry of such rating subject to a competency assessment completed as described in Document SA-CATS-ATSPL for the re-issue of a rating.

(4) A rating that has expired shall be withdrawn after a period of 36 months from expiry if an applicant has not applied to have such rating re-issued.”

26.2 Current Regulation

Duration of validation or renewal

65.11.9 (1) An approach control (radar) rating shall be validated or renewed for a period of 12 months calculated from the date of validation of the rating or from the date of expiry of the rating if such rating is revalidated or renewed in accordance with the provisions of Regulation 65.11.10 or 65.11.11, as the case may be.

(2) The rating shall expire if not revalidated within a period of 24 months, calculated from the date on which such rating was validated.

27. PROPOSAL TO SUBSTITUTE REGULATION 65.11.10 OF THE REGULATIONS

27.1 It is hereby proposed to substitute the following regulation for Regulation 65.11.10:

“Renewal of approach control (ATS surveillance) validation

65.11.10 (1) To renew an approach control (ATS surveillance) validation, the holder thereof shall prior to the expiry of the validation, have passed a competency assessment as prescribed in Document SA-CATS-ATSPL, conducted by a validation examiner in accordance with the provisions of Regulation 65.01.9 and 65.13.9.

(2) Subject to the provisions of sub-regulation (3), the validation examiner shall provide the Commissioner with a signed certificate of competency as prescribed in Document SA-CATS-ATSPL.

(3) If the result of the competency assessment contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in Regulation 65.09.8, the validation examiner shall –

- (a) report such result to the Commissioner; and
- (b) suspend the applicable validation as in accordance of Regulation 65.01.10;
- (c) ensure that such holder of the rating does not exercise the privileges of such until such time compliance with the minimum standard has been proven for the re-issue of the applicable validation.”.

27.2 Current Regulation

Revalidation of approach control (radar) rating

65.11.10 (1) To revalidate an approach control (radar) rating, the holder thereof shall within the 90 days immediately preceding the date of expiry of the rating,

have passed a proficiency check as prescribed in Document SA-CATSATSPL, conducted by a validation examiner.

(2) Subject to the provisions of sub-regulation (3), the validation examiner shall –

- (a) provide the Commissioner with the appropriate certificate of competency as prescribed in Document SA-CATS-ATSPL; and
- (b) sign the appropriate page of the licence of the holder of the rating.

(3) If the result of the proficiency check contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in Regulation 65.11.8, the validation examiner shall –

- (a) report such result to the Commissioner; and
- (b) not sign the appropriate page of the licence of the holder of the rating.

28. PROPOSAL TO SUBSTITUTE REGULATION 65.11.11 OF THE REGULATIONS

28.1 It is hereby proposed to substitute the following regulation for Regulation 65.11.11:

“Renewal of an expired approach control (ATS surveillance) rating

65.11.11 (1) To renew an approach control (ATS surveillance) rating which has expired as contemplated in Regulation 65.03.9 (2), the holder of the expired rating shall apply to the Commissioner for the renewal of such expired rating.

(2) Upon application for the renewal of an expired rating referred to in sub-regulation (1), the Commissioner shall renew the rating if the applicant complies with the requirements referred to in Document SA-CATS-ATSPL for the renewal of such rating.

(3) The provisions of Regulations 65.03.3 and 65.03.6 shall apply *mutatis mutandis* to an application referred to in sub-regulation (1).

28.2 Current Regulation

Renewal of approach control (radar) rating

65.11.11 (1) To renew an approach control (radar) rating which has expired due to the lapse of the period referred to in Regulation 65.11.9, the holder of

the expired rating shall apply to the Commissioner for the renewal of such expired rating.

(2) Upon application for the renewal of an expired rating referred to in sub-regulation (1), the Commissioner shall renew the rating if the applicant complies with the requirements referred to in Regulation 65.11.1 and if at least 50 percent of the experience referred to in Regulation 65.11.5 has been acquired.

(3) The provisions of Regulations 65.11.3 and 65.11.6 shall apply *mutatis mutandis* to an application referred in sub-regulation (1).

29. PROPOSAL TO SUBSTITUTE REGULATION 65.12.9 OF THE REGULATIONS

29.1 It is hereby proposed to substitute the following regulation for Regulation 65.12.9:

Duration of validation or renewal of an area control (ATS surveillance) rating

65.12.9 (1) An area control (ATS surveillance) validation shall be valid for a period not exceeding 12 months calculated from the date of validation of the rating or from the date of the last competency assessment completed to renew such validation in accordance with the provisions of Regulation 65.03.10 or 65.03.11, as the case may be.

(2) An area control (ATS surveillance) rating shall expire if such rating is not validated within 12 months of issue or revalidated within a period of 24 months, calculated from the date on which such rating was validated, or calculated from the date of the last competency assessment completed to renew the validation, as the case may be.

(3) A rating that has expired may be renewed no later than 36 months after the expiry of such rating subject to a competency assessment completed as described in Document SA-CATS-ATSPL for the re-issue of a rating.

(4) A rating that has expired shall be withdrawn after a period of 36 months from expiry if an applicant has not applied to have such rating re-issued.”.

29.2 Current Regulation

Duration of validation or renewal

65.12.9 (1) An area control (radar) rating shall be validated or renewed for a period of 12 months calculated from the date of validation of the rating or from the date of expiry of the rating if such rating is revalidated or renewed in accordance with the provisions of Regulation 65.12.10 or 65.12.11, as the case may be.

(2) The rating shall expire if not revalidated within a period of 24 months, calculated from the date on which such rating was validated.

30. PROPOSAL TO SUBSTITUTE REGULATION 65.12.10 OF THE REGULATIONS

30.1 It is hereby proposed to substitute the following regulation for Regulation 65.12.10:

“Renewal of area control (ATS surveillance) validation

65.12.10 (1) To renew an area control (ATS surveillance) validation, the holder thereof shall prior to the expiry of the validation, have passed a competency assessment as prescribed in Document SA-CATS-ATSPL, conducted by a validation examiner in accordance with the provisions of Regulation 65.01.9 and 65.13.9.

(2) Subject to the provisions of sub-regulation (3), the validation examiner shall provide the Commissioner with a signed certificate of competency as prescribed in Document SA-CATS-ATSPL.

(3) If the result of the competency assessment contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in Regulation 65.09.8, the validation examiner shall –

- (a) report such result to the Commissioner; and
- (b) suspend the applicable validation as in accordance of Regulation 65.01.10;
- (c) ensure that such holder of the rating does not exercise the privileges of such until such time compliance with the minimum standard has been proven for the re-issue of the applicable validation.”.

30.2 Current Regulation

Revalidation of area control (radar) rating

65.12.10 (1) To revalidate an area control (radar) rating, the holder thereof shall within the 90 days immediately preceding the date of expiry of the rating, have passed a proficiency check as prescribed in Document SA-CATS-ATSPL, conducted by a validation examiner.

(2) Subject to the provisions of sub-regulation (3), the validation examiner shall –

- (a) provide the Commissioner with the appropriate certificate of competency as prescribed in Document SA-CATS-ATSPL; and
- (b) sign the appropriate page of the licence of the holder of the rating.

(3) If the result of the proficiency check contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in Regulation 65.12.8, the validation examiner shall –

- (a) report such result to the Commissioner; and
- (b) not sign the appropriate page of the licence of the holder of the rating.

31. PROPOSAL TO SUBSTITUTE REGULATION 65.12.11 OF THE REGULATIONS

31.1 It is hereby proposed to substitute the following regulation for Regulation 65.12.11:

“Renewal of an expired area control (ATS surveillance) rating

65.12.11 (1) To renew an area control (ATS surveillance) rating which has expired as contemplated in Regulation 65.03.9 (2), the holder of the expired rating shall apply to the Commissioner for the renewal of such expired rating.

(2) Upon application for the renewal of an expired rating referred to in sub-regulation (1), the Commissioner shall renew the rating if the applicant complies with the requirements referred to in Document SA-CATS-ATSPL for the renewal of such rating.

(3) The provisions of Regulations 65.03.3 and 65.03.6 shall apply *mutatis mutandis* to an application referred to in sub-regulation (1).

31.2 Current Regulation

Renewal of area control (radar) rating

65.12.11 (1) To renew an area control (radar) rating which has expired due to the lapse of the period referred to in Regulation 65.12.9, the holder of the expired rating shall apply to the Commissioner for the renewal of such expired rating.

(2) Upon application for the renewal of an expired rating referred to in sub-regulation (1), the Commissioner shall renew the rating if the applicant complies with the requirements referred to in Regulation 65.12.1 and if at least 50 percent of the experience referred to in Regulation 65.12.5 has been acquired.

(3) The provisions of Regulations 65.12.3 and 65.12.6 shall apply *mutatis mutandis* to an application referred to in sub-regulation (1).

MOTIVATION FOR PROPOSALS

The present regulations confuses the issuance of ratings and validations which are issued at different times after completing periods of theoretical and practical on the job training (OJT). A rating is issued prior to commencing OJT after completion of the theoretical training at an ATO; the rating is then validated by the license holder after completion of the required period of OJT and having demonstrated the required competency required to exercise the privileges of that rating. The proposed amendments will clearly define the difference between issuance of a rating and a validation.

The present regulations do not permit or provide guidance for the renewal of a rating after the 24 months expiry period. International norm allows for a rating to be renewed for up to 60 months (five years) from the last competency assessment as opposed to the two years as regulated within the RSA e.g. UK-CAA CAP744 (Personnel Licensing – Air Traffic Controllers), Part 3 paragraph 2.1(a) & (b), *“Hold, or have held within the previous five years, a valid rating discipline and associated rating endorsement (if any) which they wish to undertake an approved course; “Undertake and are successful at an assessment for previous competence in the rating and rating endorsement (if any) in which they wish to undertake an approved course”.*

Civil Aviation Authority of New Zealand, ATS Personnel Licenses and Ratings, Part 65.107 (Recent experience requirement),

“Where the privileges of an air traffic controller license issued under this Part have not been exercised within the immediately preceding 5 years, the license holder shall meet the requirement of 65.103(a)(7) before the privileges of that license may be exercised again.”

The European Parliament (Directive 2006/23/EC) permits the following.

“The holder of a rating or rating endorsement who has not been providing air traffic control services associated with that rating or rating endorsement for any period of four consecutive years may only commence unit training in that rating or rating endorsement after appropriate assessment as to whether he/ she continues to satisfy the conditions of that rating or rating endorsement, and after satisfying any training requirements that result from this assessment.”

The proposed additional 36 month period over and above the regulated 24 months will acknowledge the applicants' experience and credit recognition of prior learning from previously held ratings, enabling the applicant to renew the rating without having to complete the full rating course i.e. 2 weeks instead of 12 weeks. The assessment criteria to demonstrate competency remains the same as that which would be required to issue a new rating and compliant with the requirements as stipulated in Document SA-CATS-ATSPL.

This amendment will, amongst others, allow an applicant to gain experience in other aspects of the ATM environment and effectively "freeze" a rating to be renewed on returning to controlling duties within the proposed period/ time frame.

The revised process will enable and encourage suitably trained and competent personnel who may not have maintained the currency of a rating due to other management, support and administrative duties, to stream-line the process of that applicant wishing to return to operational duties as an Air Traffic Service Delivery Personnel within the proposed time frame. Thus this will effectively allow personnel to be deployed in other areas besides controlling and then return to operational controlling duties as may be needed.

Schedule 4**PROPOSAL FOR THE AMENDMENT OF PART 108 OF THE CIVIL AVIATION REGULATIONS****1. PROPOSERS****1.1 Professional Aviation Services (Pty) Ltd t/a Professional Risk & Asset Management**

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1.2 NAFCOJCCI

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Auckland Park
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2. PROPOSERS' INTERESTS**2.1 Professional Aviation Services (Pty) Ltd t/a Professional Risk & Asset Management**

The Proposer is a South African company registered as a security company with the Private Security Industry Regulatory Authority as a service provider. The Proposer provides a service to the forwarding and courier industry as well as air carriers covering air cargo security. The company has had extensive interaction with the aviation industry through its clients and through the freight industry and general industry representative bodies.

2.2 NAFCOJCCI

The Chamber is a representative body of a large number of exporters as well as members of the freight forwarding industry and other parties affected by air cargo security.

3. PROPOSAL FOR THE AMENDMENT OF REGULATION 108.03.2**3.1 It is proposed to amend Regulation 108.03.2 by the substitution in sub-regulation (1) for sub-paragraph (ii) of the following sub-paragraph:**

“(ii) unless it has been prepared for despatch by a known consignor and handed to a regulated agent in compliance with the provisions of this Part.”.

3.2 Current Regulation

- (ii) unless it has been packed or made known and secured by a known consignor and handed to a regulated agent in compliance with the provisions of this Part.

3.3 Motivation

It is not possible for known consignors to make cargo known unless the consignor is also a regulated agent. This amendment also now conforms to the word "originator" contained in the definition of "known consignor", the definition of which is set out in the draft Technical Standard 108.02.3.

Carcom agreed at the 25th June 2008 meeting under minute 259 that Mr Garbett of BAASA and Mr Gqeke of SACAA should propose a suitable wording. This was done and agreed as set out.

Schedule 5**PROPOSAL FOR THE AMENDMENT OF PART 139 OF THE CIVIL AVIATION REGULATIONS, 1997****A. PROPOSER**

**SACAA
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1685**

B. PROPOSER'S INTEREST

The proposer has been established in terms of the South African Civil Aviation Act, 1998, (Act No. 40 of 1998), to control and regulate civil aviation in South Africa and to oversee the functioning and development of the civil aviation industry, and, in particular, to control, regulate and promote civil aviation safety and security.

1. PROPOSAL TO AMEND REGULATION 139.02.7 OF THE REGULATIONS**1.1** It is hereby proposed to amend Regulation 139.02.7 by the addition after sub-regulation (2) of the following sub-regulation:

“(3) For aerodromes category 4 and lower, the applicant shall determine the level of aerodrome rescue and fire fighting to be provided based on the following sub-paragraphs and the principles depicted in Document SA-CATS-AH Part 139.02.7 (i) –(iv):

- (a) Aerodromes up to aircraft category 4 may be licenced one level lower if the aircraft with a seating capacity of less than 30 and where the number of movements is less than 30 per week operates.
- (b) After applying the principle in paragraph (a) above, the aerodrome rescue and fire fighting services must be provided on the level of the aerodrome licence.
- (c) Where aircraft with 30 passengers seats or greater operate in commercial air transport, an aerodrome rescue and fire fighting services must be provided at a minimum of category 4 level, provided that only one level higher aircraft may operate to and from such aerodromes using the principles identified in paragraph 1 of Document SA-CATS-AH.

- (d) For aircraft, two or more categories above the aerodrome category two or four level respectively, special dispensation in accordance with Part 11 of the Regulations are required.
- (e) In accordance with the risk assessment depicted in paragraph (2) (i) of Document SA-CATS-AH, the aerodrome operator shall establish an aerodrome emergency management system mitigating the risk.

1.2 CURRENT REGULATION

“Aerodrome rescue and fire fighting

139.02.7 (1) The applicant shall ensure that the aerodrome is provided with a rescue and fire fighting service, capable to provide the required level of protection necessary for maintaining the minimum level of protection required for the appropriate category of aerodrome.

(2) The rescue and fire fighting category of the aerodrome shall be determined as prescribed in Document SA-CATS-AH.

1.3 MOTIVATION

The proposed amendment intends to be less restrictive to aerodrome operators where aircraft and passenger numbers are not sufficient to warrant the expenditure to establish an aerodrome rescue and fire fighting service in accordance with the ICAO minimum standards. Further to assign joint applicability and accountability to the license holder of an aerodrome and to the aircraft operator operating to and from such smaller aerodromes. Further to bring the CARS inline with the International best practices for smaller domestic aerodromes.

2. PROPOSAL TO AMEND HEADING OF REGULATION 139.02.22

2.1 It is hereby proposed to amend the heading of Regulation 139.02.22 as follows:

“Aerodrome rescue and fire fighting services deviations”

2.2 CURRENT HEADING

“Aerodrome rescue and fire fighting services”

2.3 MOTIVATION

The current heading is a repetition of the heading of Regulation 139.02.7 and is causing confusion. The heading was drafted as in the proposed amendment thereof when the Regulation was prepared but it was erroneously changed along the way.

3. PROPOSAL TO INSERT REGULATION 139.02.33 IN THE REGULATIONS

3.1 It is hereby proposed to insert Regulation 139.02.33 in the Regulations as follows:

“Aerodrome rescue and fire fighting training facility

139.02.33 (1) The holder of an aerodrome licence operating on a category 6 level or higher shall establish a training facility simulating an aircraft structure that makes provision for effective training standards as prescribed in Document SA-CATS-AH.

(2) The holder of an aerodrome licence operating a category 4, 5 and category 3 conducting aviation pilot training shall establish a fire fighting training facility as prescribed in Document SA-CATS-AH.

(3) (a) The holder of an aerodrome licence operating below a category 4 level, including category 3 aerodromes where aviation training is conducted, shall establish a fire fighting training facility as prescribed in Document SA-CATS-AH.

(b) This provision does not preclude any of the aerodromes from complying with the standards prescribed for aerodromes with category 4 and 5 levels.

(4) The training facilities are to give effect to the personnel training standards contained in this regulation and the associated technical standards.

3.2 CURRENT REGULATION

None

3.3 MOTIVATION

The proposed amendment intends to assign applicability and accountability to the license holder of an aerodrome to provide the required training facilities to give effect to the ICAO Standards and Recommended Practices as contained in ICAO Annex 14, Chapter 9, Part 16 contained in Appendix “A” of the same document, as well as ICAO Doc 9137-AN/898 Part 1 and ICAO Doc 7192-AN/857 Part E 2.

4. PROPOSAL TO INSERT REGULATION 139.02.34 IN THE REGULATIONS

4.1 It is hereby proposed to insert Regulation 139.02.34 in the Regulations as follows:

“Aerodrome rescue and fire fighting personnel training standards

139.02.34 (1) The holder of an aerodrome licence shall establish an aerodrome rescue and fire fighting services personnel training standards as prescribed in Document SA-CATS-AH.

(2) For aerodromes below a category 3 level, the standards set out in Document SA-CATS-AH shall form the basis for the training standards.

4.1 CURRENT REGULATION

None

4.2 MOTIVATION

The proposed amendment intends to assign applicability and accountability to the license holder of an aerodrome to provide the required services as contemplated in the ICAO Standards and Recommended Practices.
