Government Gazette
Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 734 21 August Augustus 2026 No. 55226

PART 1 OF 4

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NO FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

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government printing
Department:
Government Printing Works
REPUBLIC OF SOUTH AFRICA

HIGH ALERT: SCAM WARNING!!!

TO ALL SUPPLIERS AND SERVICE PROVIDERS OF THE GOVERNMENT PRINTING WORKS

It has come to the attention of the *GOVERNMENT PRINTING WORKS* that there are certain unscrupulous companies and individuals who are defrauding unsuspecting businesses disguised as representatives of the *Government Printing Works* (*GPW*).

The scam involves the fraudsters using the letterhead of *GPW* to send out fake tender bids to companies and requests to supply equipment and goods.

Although the contact person's name on the letter may be of an existing official, the contact details on the letter are not the same as the *Government Printing Works*'. When searching on the Internet for the address of the company that has sent the fake tender document, the address does not exist.

The banking details are in a private name and not company name. Government will never ask you to deposit any funds for any business transaction. *GPW* has alerted the relevant law enforcement authorities to investigate this scam to protect legitimate businesses as well as the name of the organisation.

Example of e-mails these fraudsters are using:

PROCUREMENT@GPW-GOV.ORG

Should you suspect that you are a victim of a scam, you must urgently contact the police and inform the *GPW*.

GPW has an official email with the domain as **@gpw.gov.za**

Government e-mails DO NOT have org in their e-mail addresses. All of these fraudsters also use the same or very similar telephone numbers. Although such number with an area code 012 looks like a landline, it is not fixed to any property.

GPW will never send you an e-mail asking you to supply equipment and goods without a purchase/order number. *GPW* does not procure goods for another level of Government. The organisation will not be liable for actions that result in companies or individuals being resultant victims of such a scam.

Government Printing Works gives businesses the opportunity to supply goods and services through RFQ / Tendering process. In order to be eligible to bid to provide goods and services, suppliers must be registered on the National Treasury's Central Supplier Database (CSD). To be registered, they must meet all current legislative requirements (e.g. have a valid tax clearance certificate and be in good standing with the South African Revenue Services - SARS).

The tender process is managed through the Supply Chain Management (SCM) system of the department. SCM is highly regulated to minimise the risk of fraud, and to meet objectives which include value for money, open and effective competition, equitability, accountability, fair dealing, transparency and an ethical approach. Relevant legislation, regulations, policies, guidelines and instructions can be found on the tender's website.

Fake Tenders

National Treasury's CSD has launched the Government Order Scam campaign to combat fraudulent requests for quotes (RFQs). Such fraudulent requests have resulted in innocent companies losing money. We work hard at preventing and fighting fraud, but criminal activity is always a risk.

How tender scams work

There are many types of tender scams. Here are some of the more frequent scenarios:

Fraudsters use what appears to be government department stationery with fictitious logos and contact details to send a fake RFQ to a company to invite it to urgently supply goods. Shortly after the company has submitted its quote, it receives notification that it has won the tender. The company delivers the goods to someone who poses as an official or at a fake site. The Department has no idea of this transaction made in its name. The company is then never paid and suffers a loss.

OR

Fraudsters use what appears to be government department stationery with fictitious logos and contact details to send a fake RFQ to Company A to invite it to urgently supply goods. Typically, the tender specification is so unique that only Company B (a fictitious company created by the fraudster) can supply the goods in question.

Shortly after Company A has submitted its quote it receives notification that it has won the tender. Company A orders the goods and pays a deposit to the fictitious Company B. Once Company B receives the money, it disappears. Company A's money is stolen in the process.

Protect yourself from being scammed

- If you are registered on the supplier databases and you receive a request to tender or quote that seems to be from a government department, contact the department to confirm that the request is legitimate. Do not use the contact details on the tender document as these might be fraudulent.
- Compare tender details with those that appear in the Tender Bulletin, available online at **www.gpwonline.co.za**
- Make sure you familiarise yourself with how government procures goods and services. Visit the tender website for more information on how to tender.
- If you are uncomfortable about the request received, consider visiting the government department and/or the place of delivery and/or the service provider from whom you will be sourcing the goods.
- In the unlikely event that you are asked for a deposit to make a bid, contact the SCM unit of the department in question to ask whether this is in fact correct.

Any incidents of corruption, fraud, theft and misuse of government property in the *Government Printing Works* can be reported to:

Supply Chain Management: Ms. Anna Marie Du Toit, Tel. (012) 748 6292.
Email: **Annamarie.DuToit@gpw.gov.za**

Marketing and Stakeholder Relations: Ms Bonakele Mbhele, at Tel. (012) 748 6193.
Email: **Bonakele.Mbhele@gpw.gov.za**

Security Services: Mr Daniel Legoabe, at tel. (012) 748 6176.
Email: **Daniel.Legoabe@gpw.gov.za**

Closing times for **ORDINARY WEEKLY** *GOVERNMENT GAZETTE* 2026

*The closing time is **15:00** sharp on the following days:*

- **23 December,** Tuesday for the issue of Friday **02 January 2026**
- **02 January,** Friday for the issue of Friday **09 January 2026**
- **09 January,** Friday for the issue of Friday **16 January 2026**
- **16 January,** Friday for the issue of Friday **23 January 2026**
- **23 January,** Friday for the issue of Friday **30 January 2026**
- **30 January,** Friday for the issue of Friday **06 February 2026**
- **06 February,** Friday for the issue of Friday **13 February 2026**
- **13 February,** Friday for the issue of Friday **20 February 2026**
- **20 February,** Friday for the issue of Friday **27 February 2026**
- **27 February,** Friday for the issue of Friday **06 March 2026**
- **06 March,** Friday for the issue of Friday **13 March 2026**
- **13 March,** Friday for the issue of Thursday **20 March 2026**
- **20 March,** Friday for the issue of Friday **27 March 2026**
- **26 March,** Thursday for the issue of Thursday **02 April 2026**
- **01 April,** Wednesday for the issue of Friday **10 April 2026**
- **10 April,** Friday for the issue of Friday **17 April 2026**
- **17 April,** Friday for the issue of Friday **24 April 2026**
- **22 April,** Wednesday for the issue of Thursday **30 April 2026**
- **30 April,** Thursday for the issue of Friday **08 May 2026**
- **08 May,** Friday for the issue of Friday **15 May 2026**
- **15 May,** Friday for the issue of Friday **22 May 2026**
- **22 May,** Friday for the issue of Friday **29 May 2026**
- **29 May,** Friday for the issue of Friday **05 June 2026**
- **05 June,** Friday for the issue of Friday **12 June 2026**
- **11 June,** Thursday for the issue of Friday **19 June 2026**
- **19 June,** Friday for the issue of Friday **26 June 2026**
- **26 June,** Friday for the issue of Friday **03 July 2026**
- **03 July,** Friday for the issue of Friday **10 July 2026**
- **10 July,** Friday for the issue of Friday **17 July 2026**
- **17 July,** Friday for the issue of Friday **24 July 2026**
- **24 July,** Friday for the issue of Friday **31 July 2026**
- **31 July,** Friday for the issue of Friday **07 August 2026**
- **06 August,** Thursday for the issue of Friday **14 August 2026**
- **14 August,** Friday for the issue of Friday **21 August 2026**
- **21 August,** Friday for the issue of Friday **28 August 2026**
- **28 August,** Friday for the issue of Friday **04 September 2026**
- **04 September,** Friday for the issue of Friday **11 September 206**
- **11 September,** Friday for the issue of Friday **18 September 2026**
- **17 September,** Thursday for the issue of Friday **25 September 2026**
- **25 September,** Friday for the issue of Friday **02 October 2026**
- **02 October,** Friday for the issue of Friday **09 October 2026**
- **09 October,** Friday for the issue of Friday **16 October 2026**
- **16 October,** Friday for the issue of Friday **23 October 2026**
- **23 October,** Friday for the issue of Friday **30 October 2026**
- **30 October,** Friday for the issue of Friday **06 November 2026**
- **06 November,** Friday for the issue of Friday **13 November 2026**
- **13 November,** Friday for the issue of Friday **20 November 2026**
- **20 November,** Friday for the issue of Friday **27 November 2026**
- **27 November,** Friday for the issue of Friday **04 December 2026**
- **04 December,** Friday for the issue of Friday **11 December 2026**
- **10 December,** Thursday for the issue of Friday **18 December 2026**
- **17 December,** Thursday for the issue of Thursday **24 December 2026**
- **23 December,** Wednesday for the issue of Thursday **31 December 2026**

LIST OF TARIFF RATES

FOR PUBLICATION OF NOTICES

COMMENCEMENT: 1 APRIL 2018

NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1008.80 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	**Page Space**	**New Price (R)**
Ordinary National, Provincial	1/4 - Quarter Page	252.20
Ordinary National, Provincial	2/4 - Half Page	504.40
Ordinary National, Provincial	3/4 - Three Quarter Page	756.60
Ordinary National, Provincial	4/4 - Full Page	1008.80

EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at R**3026.32** per page.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

The **Government Printing Works** (**GPW**) has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic *Adobe* Forms. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

Closing Times for Acceptance of Notices

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.

2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website www.gpwonline.co.za

   All re-submissions will be subject to the standard cut-off times.
   All notices received after the closing time will be rejected.

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Petrol Price Gazette	Monthly	Tuesday before 1st Wednesday of the month	One day before publication	1 working day prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00 for next Friday	3 working days prior to publication
Unclaimed Monies (Justice, Labour or Lawyers)	January / September 2 per year	Last Friday	One week before publication	3 working days prior to publication
Parliament (Acts, White Paper, Green Paper)	As required	Any day of the week	None	3 working days prior to publication
Manuals	Bi- Monthly	2nd and last Thursday of the month	One week before publication	3 working days prior to publication
State of Budget (National Treasury)	Monthly	30th or last Friday of the month	One week before publication	3 working days prior to publication
Extraordinary Gazettes	As required	Any day of the week	*Before 10h00 on publication date*	*Before 10h00 on publication date*
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 15h00 - 3 working days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days **after** submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
North West	Weekly	Tuesday	One week before publication	3 working days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 working days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 working days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 working days prior to publication

GOVERNMENT PRINTING WORKS - BUSINESS RULES

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 working days **after** submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days **after** submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days **after** submission deadline
Mpumalanga Liquor License Gazette	Bi-Monthly	Second & Fourth Friday	One week before publication	3 working days prior to publication

EXTRAORDINARY GAZETTES

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website www.gpwonline.co.za.

5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat* / *Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.

6. The completed electronic *Adobe* form has to be submitted via email to submit.egazette@gpw.gov.za. The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.

7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.

8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.

   8.1. Each of the following documents must be attached to the email as a separate attachment:

      8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.

         8.1.1.1. For National *Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form

         8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.

      8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice. *(Please see Quotation section below for further details)*

      8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order**. Non-Government Printing Works** account customer needs to submit the proof of payment for the notice

      8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. *(Please see the Copy Section below, for the specifications)*.

      8.1.5. Any additional notice information if applicable.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.

10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE.**

11. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. All "walk-in" customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.

12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

QUOTATIONS

13. Quotations are valid until the next tariff change.

    13.1. ***Take note:*** **GPW**'s annual tariff increase takes place on ***1 April*** therefore any quotations issued, accepted and submitted for publication up to ***31 March*** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.

14. Each quotation has a unique number.

15. Form Content notices must be emailed to the *eGazette* Contact Centre for a quotation.

    15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.

    15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.

16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS**:

    16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.

    16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.

        16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).

17. **APPLICABLE ONLY TO CASH CUSTOMERS:**

    17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.

18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).

19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.

    19.1. This means that **the quotation number can only be used once to make a payment.**

GOVERNMENT PRINTING WORKS - BUSINESS RULES

COPY (SEPARATE NOTICE CONTENT DOCUMENT)

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03

20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.

The content document should contain only one notice. (You may include the different translations of the same notice in the same document).

20.2. The notice should be set on an A4 page, with margins and fonts set as follows:

Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm; Use font size: Arial or Helvetica 10pt with 11pt line spacing;

Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm; Use font size: Arial or Helvetica 10pt with 11pt line spacing;

CANCELLATIONS

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.

22. Requests for cancellation must be sent by the original sender of the notice and must accompanied by the relevant notice reference number (N-) in the email body.

AMENDMENTS TO NOTICES

23. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

REJECTIONS

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za). Reasons for rejections include the following:

24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.

24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.

24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.

24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

Approval of notices

25. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.

26. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

Government Printer Indemnified Against Liability

27. The Government Printer will assume no liability in respect of—

27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;

27.2. erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;

27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

Liability of advertiser

28. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

Customer inquiries

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While **GPW** deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.
GPW has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.
Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre ONLY.

30. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

PAYMENT OF COST

31. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.

32. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.

33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.

34. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: info.egazette@gpw.gov.za before publication.

35. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.

36. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.

37. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

PROOF OF PUBLICATION

38. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website www.gpwonline.co.za free of charge, should a proof of publication be required.

39. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette*(s)

GOVERNMENT PRINTING WORKS CONTACT INFORMATION

Physical Address:	**Postal Address:**	**GPW Banking Details:**
Government Printing Works	Private Bag X85	**Bank:** ABSA Bosman Street
149 Bosman Street	Pretoria	**Account No.:** 405 7114 016
Pretoria	0001	**Branch Code:** 632-005

For Gazette and Notice submissions: Gazette Submissions: **E-mail:** submit.egazette@gpw.gov.za

For queries and quotations, contact: Gazette Contact Centre: **E-mail:** info.egazette@gpw.gov.za
Tel: 012-748 6200

Contact person for subscribers: Mrs M. Toka: **E-mail:** subscriptions@gpw.gov.za
Tel: 012-748-6066 / 6060 / 6058
Fax: 012-323-9574

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF ELECTRICITY AND ENERGY

NO. 7841 **21 August 2026**

ELECTRICITY MARKET TRANSFORMATION POSITION PAPER

INVITATION FOR PUBLIC COMMENTS: ELECTRICITY SECTOR MARKET TRANSFORMATION POSITION PAPER, 2026

I, **Dr Kgosientsho Ramokgopa, MP, Minister of Electricity and Energy**, hereby publish the Electricity Sector Market Transformation Position Paper, 2026 for public comment.

Interested persons and organisations are invited to submit written comments on the Electricity Sector Market Transformation Position Paper within 30 days from the date of publication of this notice, by—

(a) post to: Private Bag X 96, Pretoria, 0001; or

(b) hand delivery to: Matimba House, 192 Visagie Street, Cnr Paul Kruger, Pretoria; or

(c) email to: EMTPP.Queries@dee.gov.za

Comments must be addressed to the Director-General, Department of Electricity and Energy, and marked for the attention of Ms. Vusani Ramuntshi.

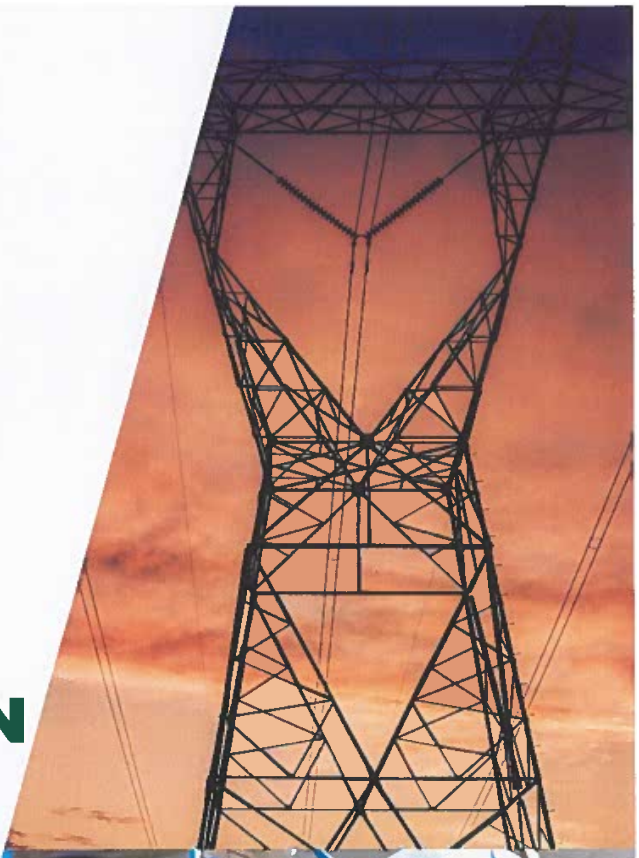
Kindly provide the name, address, contact telephone number, fax number and email address of the person or organisation submitting comments.

Comments received after the closing date will not be considered.

DR KGOSIENTSHO RAMOKGOPA, MP
Minister of Electricity and Energy
Date: 12/08/26

electricity & energy

Department:
Electricity and Energy
REPUBLIC OF SOUTH AFRICA





ELECTRICITY SECTOR MARKET TRANSFORMATION POSITION PAPER

AUGUST 2026

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1.1 Introduction

1.1.1 Context

The electricity sector in South Africa, and globally, has been undergoing a period of rapid change that has introduced new challenges for policy makers and utilities, driven by changing demand patterns, the development of new technologies, the decentralisation of electricity generation, new financing options and the imperative of decarbonisation and a just energy transition.

To date, the development of South Africa's electricity sector has been guided by the 1998 Energy Policy White Paper, the National Development Plan 2030 (NDP) published in 2011, the 2019 Integrated Resource Plan (IRP), the 2019 Roadmap for Eskom, and the President's Energy Action Plan (EAP) announced in July 2022 as well as the Just Energy Transition Implementation Plan published in 2023.

Over the last two decades, the sector has faced a growing number of challenges, including a lack of adequate and reliable generating capacity (leading to prolonged periods of load shedding), poor operational and financial performance at publicly owned utilities across each segment of the electricity value chain, increasing pressures on the fiscus, the rapid development and integration of variable renewable generation technologies, and the need to appropriately address decarbonisation of the energy mix.

In response to these challenges, Government has embarked on a transformation agenda for the electricity sector to achieve long-term energy security. While Government interventions have helped to successfully resolve the most recent load shedding crisis, further structural transformations are essential to prevent its recurrence and to build a sustainable system for the future. As part of this agenda, various legislative changes have been implemented to enable private investment in electricity generation projects of any size, resulting in a robust and growing pipeline of investment in the sector. Eskom is progressively restructuring into distinct entities for generation, transmission and distribution, beginning with the establishment of the National Transmission Company of South Africa (NTCSA) in 2024. The Electricity Regulation Amendment Act (ERAA) provides for the introduction of a competitive electricity market and for an independent Transmission System Operator to create a level playing field for wholesale competition. These steps together represent a fundamental shift in South Africa's electricity landscape.

As South Africa prepares for the establishment of a competitive wholesale electricity market, a clear vision is required for the future of the sector and the role that various

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actors will play in a future transformed energy system. This document seeks to outline such a vision, bringing together the various initiatives already underway into a single, coherent agenda for market transformation.

1.1.2 Government's objectives

Government's objectives for the electricity sector are derived from the National Development Plan 2030, stated as:

- Ensuring a secure and reliable electricity supply to promote economic growth and development.
- Promoting social equity through affordable tariffs and the protection of vulnerable customers.
- Environmental sustainability through the decarbonisation of the electricity sector.

Striking a balance across each of these three interrelated and often competing objectives is a complex undertaking. In the South African context, however, the pursuit of these objectives must be further reconciled with the country's unique socio-economic realities and development imperatives, including employment creation, inclusive growth, and economic transformation. South Africa therefore faces an "energy quadrilemma," in which Government must simultaneously address security of supply, affordability, environmental sustainability, and socio-economic development.

Decarbonising the electricity sector must therefore be implemented in a just and inclusive manner, mitigating adverse economic impacts on workers and communities, while maximising opportunities for job creation, skills development, and broader economic participation in the transition to renewable energy sources.

In this context, the pace and scale of decarbonisation must be carefully managed as part of the broader effort to transformation the electricity sector. Initiatives should be firmly grounded in the principles of a just transition and be designed to ensure that the transition does not outstrip the country's capacity to manage its socio-economic impacts. Such an approach aims to safeguard employment, strengthen local economies, and protect vulnerable groups, ensuring that sector transformation remains both just and sustainable.

As South Africa looks to move beyond its present-day energy constraints, investments that support national carbon reduction commitments are needed for electricity generation, as well as for network upgrades and expansion. Such investments should seek to be transformative in nature, contributing meaningfully to the sector's evolution while being strategically prioritised to avoid placing undue pressure on public finances.

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1.1.3 The rationale for implementing sectoral transformation

To better address South Africa's energy quadrilemma within prevailing national fiscal constraints, Government intends to initiate sectoral transformation through the introduction of a competitive wholesale electricity market. This requires balancing energy security, energy equity (affordability), and environmental sustainability, while also advancing socio-economic and inclusive development outcomes. A coherent and integrated approach to energy transformation is therefore required as South Africa rebuilds and reimagines its electricity system to become more resilient, efficient, and future-ready.

The electricity distribution sector will also need to be transformed to improve technical and financial performance; however, while acknowledging the interdependencies across the electricity value chain, this document focuses primarily – but not exclusively – on the creation of a new wholesale electricity market as the next step in the transformation process, recognising the central role of the wholesale market in shaping system-wide efficiency, investment signals, and security of supply.

In introducing a wholesale electricity market, Government intends to increase efficiency in the sector's generation segment, which until recently had largely been characterised by limited competition to enter the market via the Independent Power Producers Procurement Programme (IPPPP). While the Amendment of Schedule 2 of the Electricity Regulation Act allows for more competition, due to the nature of longer-term contracts, competition does not regularly occur once generators have entered the market. The introduction of a competitive wholesale electricity market will therefore enable ongoing competition amongst generators who have entered the market[1]. This will lead to more accurate and transparent price signals and better incentives that will encourage improved short-term performance, better long-term investment decisions, establish a level playing field for new participants to enter the market, and achieve more efficient outcomes for the sector. In the long-term, enhanced competition is expected to support security of supply (as the market responds to accurate signals regarding current and future demand) and, all else being equal, contribute to lowering the overall cost of electricity for South Africans.

This proposed transformation represents a formal consolidation of various policy commitments and initiatives that have been advanced over the last 25 years. In bringing these initiatives together under the unified framework of a competitive wholesale electricity market, Government intends to establish an organised,

[1] Commonly known as competition "in the market."

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transparent, and rules-based environment for the sale and purchase of wholesale electricity, as envisaged in the Electricity Regulation Amendment Act of 2024.

This document outlines Government's approach to transforming the electricity sector. The principles and proposals outlined herein will form the foundation of other regulatory documents such as detailed market design frameworks, which will provide a clear, coherent, and integrated view of how the various components of the ongoing sector transformation process fit together.

This market design document and associated market codes should serve as a reference for NERSA and other sectoral stakeholders, guiding the ongoing evolution of the electricity market and regulatory framework, as necessary, to implement the proposed sectoral transformations effectively, in line with the ERAA. These documents will be developed through an iterative and mutually reinforcing process to ensure overall system coherence.

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1.2 Overview of Government's proposed sectoral transformation

1.2.2 Guiding principles for sectoral transformation

Government is committed to implementing sectoral transformation in accordance with the following principles:

- Stimulate competition and innovation through market mechanisms. Responding to market signals in a competitive environment typically leads to more efficient deployment of private capital.
- Create incentives for new investment in generation and networks to ensure adequate and reliable electricity supply.
- Promote competitive neutrality. A well-designed market must remain technology neutral and impartial to all participants to ensure that system requirements are met at the lowest cost while promoting innovation. Competitive neutrality requires market administrators and/or facilitators to act with independence through minimising actual or potential conflicts of interest. It also requires the provision of access to the electricity network on a non-discriminatory basis.
- Ensure accountability within the market. Each entity involved in the market must be responsible for areas that fall within the scope of their functions. Failing to fulfil such responsibilities must lead to appropriate consequences, ensuring that market actors are committed to their roles and associated obligations, thereby contributing to a well-functioning and reliable market.
- Facilitate the optimal allocation of risks. A well-designed market must ensure that risks, costs, and the related financial responsibilities for decisions made or actions taken can be allocated to those best placed to manage them.
- Provide clarity and consistency in rules. A well-designed market must provide for a clear and consistent set of rules that facilitate decision making amongst market participants.
- Minimise informational asymmetries. Market participants must be provided with accurate and timely information to enable efficient decision making. Information disclosures help ensure a level playing field, thereby enhancing efficiency and fairness for all participants.
- Facilitate market integration. Longer-term energy markets must support efficient outcomes in support of short-term markets. Markets must be designed such that complementary offerings and/or requirements, such as energy and ancillary services, can be procured competitively in an integrated manner.
- Discourage free riding. All customers must contribute to a fair share of the overarching system costs. A number of technologies deployed today have high fixed costs and low operating costs. As the share of fixed costs increase, prices per unit of output will matter less and fixed charges will matter more.

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- Incorporate stakeholder perspectives. A market that aims to better meet the needs of all participants must be informed by their perspectives as it is designed, implemented, and updated. Incorporating perspectives that align with the existing principles and objectives for transformation will lead to the development of a balanced market design.
- Promote inclusive economic participation through transformation and localisation. Electricity sector transformation must serve as a vehicle for inclusive economic growth. All commercial aspects of the transformation, including investment, procurement, and market participation, will be governed by South Africa's Broad-Based Black Economic Empowerment legislation and localisation requirements. These measures will ensure meaningful participation by historically disadvantaged individuals and local enterprises, support the development of domestic value chains, and do so while maintaining a strong commitment to efficiency and competitiveness.
- Protect vulnerable consumers. Indigent consumers must be protected using mechanisms that facilitate increased access to affordable electricity services.
- Ensure fair cost allocation for end-use customers. A well-designed market must prevent end-use customers from bearing disproportionate costs or being disadvantaged by subsidies. Charges and contributions should be allocated transparently and equitably across all industry participants to maintain fairness and sustainability.

1.2.1 Overview of transformation

Overall sectoral structure along the value chain

Government intends to introduce a competitive wholesale electricity market that accommodates participation from generators, traders, and eligible customers. The market will be supported by network service providers (at the transmission and distribution levels), a System Operator (SO), a Market Operator (MO), a Central Purchasing Agency (CPA), and a regulator (NERSA), each of whom will act impartially and in the best interests of all participants.

The South African Wholesale Electricity Market (SAWEM) will include a centralised platform for the sale and purchase of wholesale electricity, while also permitting the trading of wholesale electricity through bilateral contracts and government procurement programmes. Use of the centralised platform will be voluntary; however, participation in the SAWEM will require market actors to either transact through the centralised platform or through bilateral arrangements. Generators will compete with one another to produce electricity for customers. End-use customers will purchase electricity through intermediaries such as independent traders or the trading arms of electricity distribution companies (the latter will be referred to as "retailers"). In some

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cases, customers will have the option to purchase electricity directly from generators (such customers will be referred to as "eligible wholesale customers").

The new market structure will be enabled by the legal separation of the National Transmission Company of South Africa (NTCSA) into an independent entity and the further delineation of activities along the value chain, including distinguishing between the provision of networks for the conveyance of electricity and the provision of retail services for the sale of electricity to end-use customers. Open access to the transmission and distribution networks in South Africa, as required by the ERAA, will be achieved through establishing clear rules and tariffs that all network service providers follow. Such rules will be outlined in a new market code, which will be developed by the NTCSA and approved by NERSA. They will also be included in an updated and expanded transmission code and distribution code, as well as in licences granted by NERSA.

The restructuring of Eskom is a key enabler to the successful implementation of transparent and competitive markets in the electricity sector. The restructuring of Eskom into legally separate companies, including a legally separate NTCSA, will help to create a level playing field for generators in the sector and is in line with best practice internationally when it comes to market transformation. Government envisages that:

- Eskom's generation business will operate as a legally separate entity under Eskom Holdings and will participate in the proposed wholesale electricity market on the same basis as other generation companies. The Market Operator will treat Eskom Generation with the same rules and obligations applied to all market participants. To safeguard competition, Government will review and implement mechanisms to limit the exercise of market power, ensuring that no generation company (be it Eskom Generation, or a private entity) can distort market outcomes[2].
- The NTCSA will be a legally distinct entity, responsible for supporting all market actors through serving as an impartial network service provider, as well as an impartial system and market operator.
- Eskom's distribution business will be a legally distinct entity under Eskom Holdings, responsible for supporting the market through serving as an impartial network service provider and a retailer (i.e. trader).

[2] As a state-owned enterprise (SOE), Eskom Generation will align its operations with Government's broader policy objectives, which may include supplementary socio-economic objectives (e.g. industrialisation and employment creation) in addition to the primary objective of operating in a commercially viable manner, while complying with all rules and regulations established by the Market Operator and NERSA.

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An overview of the envisaged market structure is shown in Figure 1. Details on the various actors, from generators through to the end-use customers, are provided below.

Generation

Generators own power generating plants and are in the business of selling the energy they produce. Such companies may also sell other services such as frequency regulation, voltage control, and reserves that the system operator needs to maintain the quality and reliability of electricity supply. Generators in the envisaged market will include Eskom's generation division, independent power producers (IPPs) procured through the Government-administered IPPPP, private generators exempted from requiring a generation licence, and distributed energy resources (i.e. resources connected to distribution networks) with an installed capacity threshold to be determined at a later stage and specified in the market code and/or market design document. All generators will compete on a level playing field in the centralised market administered by a Market Operator in the NTCSA, or contract directly with customers.

Transmission networks, system, and wholesale market operation

As required by the ERAA, the legally separate NTCSA will be regulated by NERSA. It will undertake several functions, including the provision of the transmission system (transmission network service provider), the administration of the centralised wholesale market (the Market Operator - MO), the balance of supply and demand (the System Operator - SO), and the development of additional transmission network capacity alongside independent transmission projects (ITPs).[3]

The NTCSA's functions will also include serving as a Central Purchasing Agency (CPA), a market support entity that will serve as an administrator for contracts between dominant generators (e.g. Eskom Generation) and certain electricity distribution companies that elect to directly participate in the wholesale market, and a counterparty for generators with legacy contracts awarded through government procurement programmes (e.g. the REIPPPP). It is expected that the CPA will participate in the SAWEM, using the centralised market platform, on behalf of IPPs with existing contracts granted under Section 34 of the Electricity Regulation Act (i.e., the CPA will take responsibility for submitting bids into the day-ahead market for these generators). The CPA is not expected to participate in the SAWEM for contracts between Eskom's generation division and electricity distributors; instead, it will manage capacity payments, and broker energy hedges between the various counterparties.

For the most part, the NTCSA will act as a facilitator in the competitive wholesale electricity market, providing essential services that allow sales and purchases to take place. To maintain the trust and confidence of market actors, Government will ensure

[3] See the Appendix for a brief description of these activities in the context of the electricity sector.

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that the NTCSA acts objectively and impartially, taking a system-wide approach to guide its decisions.

Distribution networks and retail

Electricity distribution companies, including Eskom Distribution and municipal distribution companies, will continue to be regulated by NERSA. They will continue to provide network services and customer-facing retail services. Network services will be provided on a non-discriminatory basis to all generation and load, and customer-facing retail services will be provided to non-eligible (i.e., captive) customers and to eligible retail customers who elect not to exercise their respective eligibility. Government will develop criteria and rules regarding "retail eligibility" which will be outlined in the forthcoming market design document.

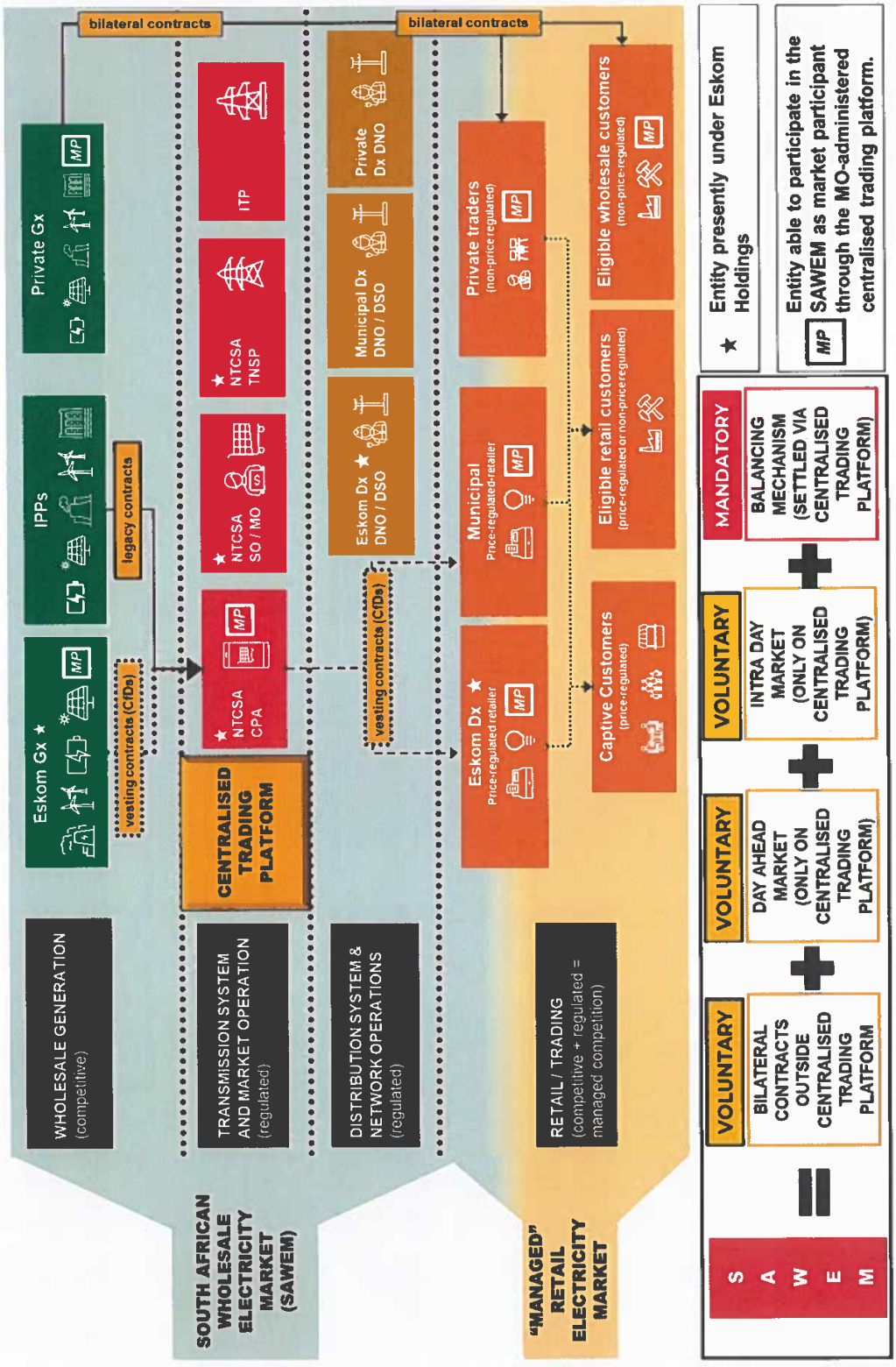
In alignment with the ERA Act, a distinction between the network (wires) business and the retail business must be established, in the medium term, for all distributors. The network business will act as a facilitator for the market (by providing for the conveyance of electricity on a non-discriminatory basis) while the retail business will form a separately licenced activity covering the purchase of wholesale electricity and its subsequent sale to end-use customers. The network businesses will be remunerated through regulated connection and use of system charges, while the retail business will be remunerated through specific retail charges. Final customer charges will be the sum of generation, network (transmission and distribution) and retail (trading) charges, and will reflect any approved subsidies and costs that are to be socialised across customers. While customers who are entirely off grid will not have to pay any system charges, those that rely on the grid for some power or want to sell their excess energy will be required to pay network charges.

Some end-use customers, such as all residential households and smaller commercial entities connected at the distribution level, will continue to purchase power from incumbent distribution companies' retail arms (i.e. these customers will not be able to exercise choice in who their retail service provider is). In such instances, the provision of retail services to captive customers will be regulated by NERSA. Network charges, including any cross-subsidisation contained in those charges, should not be avoided by a customer's choice of retailer/trader.

A size threshold (e.g. 1 MW) and other relevant parameters for clearly defining what constitutes an eligible retail customer will be considered and subsequently defined in forthcoming policy and/or regulation.

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Figure 1: Overview of the future electricity market structure



Wholesale market administration and governance

Wholesale transactions will be facilitated (1) through organised short-term markets administered by the MO using a centralised platform; and (2) by allowing for counterparties to directly transact with one another (bilateral contracts).

As the economic regulator for the sector, in addition to regulating natural monopolies such as the transmission and distribution networks, NERSA will be responsible for regulating and correcting market failures/imperfections, as well as protecting the interests of all customers. Given the introduction of competition in the proposed wholesale market, the Competition Commission will also have powers to investigate and intervene with regards to anti-competitive behaviours, including the abuse of market power.

Governance structures for the centralised wholesale market administered by the MO will be established. These will include a set of rules, developed by the MO and approved by NERSA, for participating in the centralised market. Appropriate structures will be created to oversee the market rules and the performance of the market, including a market governance committee (MGC) that will govern changes to the rules of the centralised market, and a market surveillance unit (MSU) that will monitor and enforce market rules and monitor the market for improper behaviour and market abuse.

The new market structures will require the role of NERSA to evolve to regulate network service providers as unbundled entities (irrespective of ownership), include wholesale market oversight and other related functions aimed at facilitating efficient market outcomes, in line with regulatory best practices internationally. Government will facilitate NERSA's adaptation and preparedness for these market transformations.

Wholesale market

Short-term markets

Maintaining a balance between the production and consumption of energy at any given moment is paramount to ensuring the stability and reliability of the electricity system. This requires production (generation) to be scheduled ahead of time, to meet expected demand (load).

To support the advanced scheduling of generation and load, and to allow buyers and sellers to optimise their sales and purchases ahead of real-time, short-term markets will be established by the MO. These markets will start the day before electricity is delivered (day-ahead markets) and run through to the real-time production of electricity.

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A centralised platform, administered and managed by the MO, will form an integral component of the envisaged short-term markets, enabling generation and load to submit bids and offers for selling and purchasing wholesale electricity to meet their respective short-term requirements. Participation in the competitive short-term markets, using the centralised trading platform, will be voluntary. To enable the MO and the SO to plan for real-time, however, all generation and load transacting outside of the centralised market (e.g. through bilateral contracts), will be required to submit their respective day-ahead production and consumption schedules no later than the day-ahead bids and offers using the centralised platform.

The outcome of the short-term markets administered by the MO through the centralised platform will be a set of schedules and hourly prices for wholesale electricity, in addition to prices for other services procured through the centralised platform, such as operating reserves. Prices from the short-term market will be used by the MO to settle payments between buyers and sellers, as determined by the rules set out in the market code for the centralised platform (however, prices for bilateral contracts will continue to be settled privately). The centralised platform will optimise the short-term efficiency of production through scheduling the lowest cost resources first, accounting for transmission constraints.

Costs associated with deviations between scheduled, and actual, production and consumption (i.e., balancing costs), will be recovered in accordance with the principle of ensuring accountability within the market and the principle of facilitating an optimal allocation of risks. The market code will elaborate on how hourly imbalance prices will be calculated.

Forward markets

Forward markets provide a mechanism for market participants to engage in contracts for a predetermined amount of capacity, energy, or other services at a predetermined price over a defined period (ranging from one week to as long as 20 years). These markets help to address price risk over the medium and long-term, thereby facilitating investment in new resources, ensuring that such resources will be available when they are needed (i.e., enhancing the security and reliability of supply).

To date, forward markets have predominantly been administered by Government, through long-term contracts, under initiatives such as the REIPPPP. Since the removal of licensing requirements for generation, private generators have increasingly entered into long-term bilateral contracts with commercial and industrial off-takers, either directly or via traders.

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The NTCSA will help implement additional formalised forward markets, most likely in the form of a capacity market. It is expected that such a market may be required, for instance, to ensure sufficient generating capacity (and possibly other reliability services) is made available over the medium to long-term, complementing the price signals emerging from the centralised wholesale electricity market. There are numerous examples that have been successfully implemented worldwide, including various capacity remuneration mechanisms, which will be reviewed to determine the most appropriate approach for the South African context.

Plans for new generation capacity are currently detailed in a cyclically reviewed Integrated Resource Plan (IRP), prepared by the DEE with input from the NTCSA. In line with the ERA Act, the IRP will serve as an indicative document that reflects the optimal electricity mix for the country. It will be used to plan for new central procurement of generating or storage capacity. Procurement of new capacity may be carried out by the NTCSA (e.g. through a capacity market), and/or be procured in terms of a Ministerial determination as provided for in the ERA Act.[4] Any Government-administered procurements for capacity will be informed by the IRP, as well as by assessments carried out by the SO.

In addition to formalised forward markets, private generators will continue to be able to engage in long-term bilateral contracts through participating in various privately administered procurement processes. Generators, traders, retailers and consumers will also be able to enter into financial hedges, such as Contracts for Difference (CfDs), amongst themselves.

Participation in wholesale markets

The following three entities are envisaged to actively participate in the wholesale markets centrally administered by the MO:

- **Generators** who own power generating facilities and are in the business of selling the energy they produce. It is envisaged that certain demand side resources will also be able to participate by offering to increase or decrease their offtake. A threshold for participation (e.g. a minimum size of facility) will be established (e.g. 1 MW). Generators connected to the transmission and distribution networks will be able to participate.
- **Eligible wholesale customers** who qualify to directly purchase electricity from the centralised market rather than through a trader. Customers that are not deemed to be "eligible wholesale customers" will be required to procure electricity through the trading arm of their respective electricity distribution

[4] A Ministerial determination may be issued in the event of the failure of a market, or in the event of an emergency, or for the purposes of ensuring security of energy supply in the national interest.

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company (i.e. a retailer) or an independent trader. The criteria for "wholesale eligibility" will be further considered by Government and will be outlined within a forthcoming market design document and updated regulatory framework.

- **Traders** engaging in the wholesale purchasing and subsequent reselling of electricity at the wholesale and/or retail level. The retail arm of electricity distribution companies (including municipal distribution companies) would fall under this category of participant, as would independent traders.

To participate in the centralised wholesale market, it will be necessary to satisfy certain prudential requirements, as per the requirements of the market code, grid code and relevant licenses. If a prospective participant is unable to meet such requirements, then they will be barred from procuring (or selling) electricity in this market.

It is likely that some prospective participants, such as some municipal electricity distribution companies, may not be able meet such requirements. This matter cannot be divorced from Government's long-standing objective of implementing transformations in the electricity distribution sector. Government therefore intends to develop a mechanism to allow for non-qualifying distributors to procure electricity, while simultaneously driving electricity distribution transformations with the objective of ensuring that all distribution companies will eventually be on a stable financial footing and be able to participate in the wholesale market using the centralised platform.

Additional considerations for the wholesale market

To help ensure that the proposed transformations yield the intended benefits for all sectoral stakeholders, the following matters will be carefully considered in the design and implementation of a competitive wholesale market:

Market power:[5] Currently, Eskom Generation provides most of the electricity supplied to the end-use customers and is a dominant player in this part of the value chain. As noted above, market monitoring and surveillance mechanisms will be established to detect potential abuses of market power. In addition to this, even with the implementation of competitive wholesale markets and market surveillance, Eskom Generation may still need to be regulated to limit its ability to exercise market power. The exact form of such regulation will need to be developed and implemented by NERSA.[6]

Government will evaluate whether additional measures beyond regulation may be necessary to mitigate the risk of Eskom Generation exercising market power, with a view to protecting end-use customers. Where appropriate, the forthcoming market

[5] See the Appendix for a brief description of market power in the context of electricity markets.
[6] For example, NERSA could regulate Eskom Generation's bids into the SAWEM.

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design document will propose appropriate mechanisms to address these risks and support fair and efficient market outcomes.

Conflicts of interest: For an efficient and fair wholesale market to flourish, it is essential that conflicts of interest are effectively mitigated. This is particularly relevant in the case of the competitive (international trading and CPA) functions consolidated under the NTCSA, given the NTCSA's concurrent responsibility for administering the centralised market. Robust ring-fencing and independence provisions within policy and regulation will be introduced to identify and mitigate potential conflicts within the NTCSA.

Legacy IPPs: Since 2011, Government has procured energy on a long-term basis from the private sector through various initiatives such as the REIPPPP. It is Government's intention that the terms of these legacy contracts be honoured (through novation to the CPA as the off-taker), even if the prices enshrined in some contracts are not competitive in the envisaged markets.

Stranded investments: Some generation assets may become uneconomic to operate, should their marginal cost of generation exceed the market price for electricity over an extended period of time. Such assets may no longer be able to recover their costs through the sale of electricity. If this is the case, then such assets may become 'stranded,' particularly if their capital costs have not already been recovered. Government and NERSA will work to identify whether such assets are likely to exist, and if required, outline the preferred approach for addressing such potentially stranded investments.

Transmission network expansion: Fully realising the benefits of future investments in new generation capacity will require a significant expansion of the national transmission network, which in turn, will require significant amounts of capital and time. To facilitate a more rapid expansion of the network, to evacuate new power generation and maintain system reliability, Government will enable private sector participation in transmission infrastructure investment.

Network congestion: As new generation capacity becomes operational, increasing constraints on the network's ability to transport electricity will arise. It is envisaged that these constraints will be managed through the implementation of 're-dispatching' strategies.

Recognising the importance of having market outcomes reflect the physical realities of the system, Government will look into the feasibility and practicality of introducing alternative mechanisms for managing and pricing network constraints, and for guiding

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transmission network development, toward the end of the initial transition period. Such mechanisms may incentivise generation and load to develop in better suited areas of the network, and to operate in a manner that helps to further reduce system costs.

Cross-border trading: Government acknowledges that the introduction of a wholesale electricity market within South Africa is not sufficient, on its own, to enable the cross-border trading of electricity. The ERAA allows for imports and exports under specific conditions and the market code (and any other relevant codes, regulations, or policies) will allow for a seamless interface with SAPP to facilitate regional electricity trading.

Retail market

The retail market is the mechanism through which retailers (traders) sell wholesale electricity to end-use customers at the retail level. Retailers are responsible for procuring electricity on behalf of end-use customers, setting the prices these customers pay, and managing customer service.

Currently, most retail services are bundled with the provision of electricity distribution network services, and there is no clear separation between the 'wires' business and the 'customer service' business. Over the medium term, these functions must be clearly delineated and separately licenced.

A subset of end-use customers will be able to directly purchase electricity from the wholesale market (eligible wholesale customers) or from an electricity trader (eligible retail customers) of their choice. During the transition period, Government envisages that this will only apply to energy users above a defined threshold connected to the transmission and/or distribution networks, as well as the retail arm of licensed distributors.[7] All remaining customers, including small residential customers, will remain 'captive' to their respective electricity distribution company's retail arm and will be charged regulated tariffs. NERSA will therefore be required to regulate retailers appropriately and to protect the interests of end-use customers, particularly the most vulnerable. Eligibility will be expanded over the longer term as part of a managed transition to full retail competition, which will ultimately be governed by a comprehensive Retail Code.

To facilitate a smooth wholesale market model transition for the retail segment of the electricity value chain, Government acknowledges that it will be important for:

[7] Noting that distributors will need to meet certain requirements to qualify for participation in the envisaged centralised wholesale market.

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- Resources to be made available to support the retail arms of electricity distribution companies in undertaking the new or enhanced activities required of them in the market (e.g., directly procuring electricity on a long-term basis, forecasting demand to support participation in the short-term markets, etc.).
- Structural barriers limiting the participation of municipal electricity distribution companies to be addressed. Government will therefore review the legislation governing municipal procurements, and other potential constraints, to ensure that it enables municipal distribution companies to effectively participate in the new markets.
- Pre-requisites to market transformation to be addressed across all electricity distribution companies, including the delineation of the retail and network service businesses. This will require an evolution in NERSA's approach to the regulation of the electricity distribution sector, including separate regulatory accounts, separate tariffs, and separate licencing.
- Municipal finances from the provision of electricity services, and the application thereof, to be improved. Government will continue to pursue electricity distribution transformation to enhance the financial viability and sustainability of all municipal electricity distribution companies.

1.2.2 Timeframes & process for implementation

Requirements for competitive markets

To ensure the long-term efficiency and success of a competitive wholesale electricity market in South Africa, a number of comprehensive requirements must be fulfilled. It will not be possible to fulfil all requirements prior to the opening of a wholesale electricity market. For instance, achieving depth in the wholesale market (i.e., a large number of buyers and sellers) will occur over time as the market matures. Government will therefore ensure that the market is designed in a manner that allows for, and encourages, such requirements to be realised over time.

Other requirements, such as ensuring timely payment and financial settlement, unbundling the tariff structure, and developing clear rules and regulations, as well as putting in place (and testing) the systems required to operate the market, are essential for a competitive market to be established. Government will therefore work to address these requirements as a matter of priority to ensure that they are in place prior to market opening.

Supporting sectoral stakeholders

Government will ensure that all sectoral stakeholders be provided with sufficient time to adjust to their new roles and responsibilities, and to adequately test market platforms. A phased implementation approach will therefore be adopted, ensuring that

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sectoral stakeholders are provided with sufficient lead-time to fully understand, internalise, and prepare for the proposed transformations.

Following the opening of the market, a transition period is envisaged during which market actors will be supported as they adjust to their new roles and responsibilities. Government will evaluate how best to support market actors and incorporate suitable transitional mechanisms within the design of the wholesale market. One such mechanism will be the introduction of "vesting contracts," which set wholesale market prices for generators and load during the initial stages of market operation. These contracts will be phased out over time as the market matures. Additional mechanisms may also be considered to address specific transitional challenges and ensure a stable and equitable progression to competitive electricity markets.

Further details regarding the transition to competitive markets will be provided in a forthcoming market design document.

Oversight, review, and adjustments to the market rules and regulations

Prior to the implementation of the market and during the transition period, it will be critical for mechanisms to be in place to monitor the performance of the market, identify deficiencies, and to implement corrective measures. Government will ensure that such mechanisms are established and implemented with consideration of the views and experiences of all market actors.

Timeframes

Government will continue working with all relevant stakeholders to fulfil the conditions necessary for the establishment a competitive wholesale electricity market, with the aim of soft-launching market operations in 2026, followed by a gradual and phased opening of the market to participants beyond Eskom, starting in 2027. This will include the development of a market design document and a market implementation roadmap, which will clearly set out the sequencing, milestones, and enabling conditions required for the introduction of a competitive wholesale market (an indicative list of pre-requisites has been included in the appendix).

Several key milestones have already been achieved, including the passing and operationalisation of the Electricity Regulation Amendment Act, the legal separation of the NTCSA, and ongoing work on the development of a market code. Additional transformation efforts are being actively supported by Government, such as the revision of the regulatory framework and pricing models, and transformations to the electricity distribution industry. As specified in the ERA Act, the NTCSA will be converted into an independent entity within five years.

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1.3 Annex 1: Key Concepts from the electricity sector

- **Centralised market platform:** The centralised market platform is an organised, electronic marketplace administered by the Market Operator (MO) where generators, traders (incl. retailers), and eligible customers can submit bids and offers for the sale and purchase of wholesale electricity and related services (such as reserves). Participation in the centralised platform is voluntary, but all market actors in the South African Wholesale Electricity Market (SAWEM) must transact either through this platform or via bilateral contracts. The platform will facilitate price formation, efficient scheduling, and the settlement of short-term (day-ahead, intra-day, and real-time) electricity transactions.
- **Imbalances:** Imbalances refer to the differences between the scheduled (forecasted or contracted) and actual production or consumption of electricity by a generator or load participating in the SAWEM, whether through the centralised market platform or through bilateral contracts. These deviations can occur due to unforeseen changes in generation or demand. All generators and loads (e.g., traders and eligible wholesale customers) involved in the SAWEM are subject to balance responsibility, meaning they are financially liable for any imbalances they create. This ensures that market actors are incentivised to accurately schedule their production and consumption, and that the costs associated with deviations are allocated fairly according to market rules. The market code will specify how imbalance prices are calculated and how these costs are recovered.
- **Market administrator or market facilitator:** A market administrator or market facilitator is an entity responsible for operating, managing, and overseeing the functioning of the electricity market and the power system. They do not buy or sell electricity for profit but instead ensure the market functions efficiently, transparently, and reliably.
- **Market participants:** Entities that actively engage in commercial transactions within the electricity market. They buy, sell, or consume electricity and are exposed to market prices and competition. This includes generators, traders, retailers, and eligible customers who meet the prudential and technical requirements set out in the market code, grid code, and relevant licences. Market participants are subject to the rules and obligations of the market and may transact via the centralised platform or through bilateral contracts.
- **The main difference between administrators / facilitators and participants:**
  - Market administrators and facilitators focus on enabling system-wide outcomes, such as reliability, efficiency, and fairness. They do not participate in commercial transactions but rather enable those transactions to take place.

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- Market participants focus on individual commercial outcomes, aiming to optimise their financial performance within the rules set by administrators.

- **Market operation:** Market operation includes operating and/or facilitating the centralised wholesale markets, administering the market participants, conducting market clearing, settlement and invoicing.
- **System operation:** system operation includes being responsible for the security of the South African national electricity grid by monitoring, controlling and operating it in a safe, economical and reliable manner. This includes load forecasting, protection criteria, analysis of system security, operational planning including provision of ancillary services, dispatching, control systems, information systems, etc.
- **Transmission network services:** Transmission network services include engineering, construction, project management, maintenance management, etc.
- **Eligible wholesale customer:** An eligible wholesale customer is a customer that meets specific criteria (such as size, connection voltage, or other parameters to be defined in policy and regulation) and is permitted to purchase electricity directly from the wholesale market, rather than through a retailer or trader. These customers typically include large industrial or commercial users connected to the transmission or distribution network above a defined threshold. The criteria for wholesale eligibility will be outlined in the forthcoming market design document and market code.
- **Eligible retail customer:** An eligible retail customer is an end-use customer who meets defined criteria (such as a minimum size threshold, e.g., installed capacity or demand above a certain level) and is permitted to choose their electricity retailer or trader, rather than being captive to the incumbent distribution company's retail arm. Eligible retail customers may procure electricity from independent traders or the trading arms of distribution companies. The criteria for retail eligibility will be outlined in the forthcoming market design document and regulatory framework.
- **Market power:** refers to the ability of a company or group of companies to influence the price of electricity in a competitive electricity market by controlling supply or demand, thereby distorting fair market competition. Market power can lead to artificially high prices, inefficiencies, and harm to consumers. Market power can be exercised in different ways, e.g. through "economic withholding" which occurs when a participant can profitably alter their offer price significantly from their marginal costs, or through "physical withholding" which occurs when a generator withholds some supply from the market in order to increase the price at which the remaining supply is sold.
- **Contracts for Difference (CfDs):** A CfD is a contract that provides stability and certainty to the energy price received by a generator and paid by the contract

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counterparty. They can be instrumental in providing certainty to generators and incentivising new generation capacity. A CfD establishes a "strike price". If the electricity price is below the strike price, the generator receives a "top-up". If the electricity price is below the strike price, the generator pays the contract counterparty.

- **Vesting contracts:** contracts that are signed with each power plant and consist of two parts. The first part specifies an agreed upon payment to cover the fixed capital, operational and maintenance costs required by the plant and special ancillary services such as black starting and islanding. The second section specifies a fixed energy price to be applied at the start of the contract and the process by which this fixed price will gradually transition to the market price over time.

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1.4 Annex 2: Steps to support the introduction of competitive wholesale markets

- Development and finalisation of a market design document.
- Finalisation of the market codes
- Revision to the current regulatory framework.
- Development of secondary legislation on "eligibility" criteria and subsequent NERSA approval
- Revision to the transmission and distribution codes.
- Development of criteria for issuing trading licences, conditions for maintaining a trading licence, processes for implementing a change of trader, and ensuring that there is a trader and/or retailer "of last resort."
- Confirmation of the approach to future system planning, and structure of procurement process to align with / complement the future energy market (e.g., through capacity auctions).
- Implementation of changes to municipal regulations to allow for participation in markets.
- Confirmation and finalisation of the proposed vesting contracts.
- Confirmation of the method to handle stranded costs for IPPs and/or generation plants.
- Training of participants on features of markets with numerical examples, flow charts, and simulations.
- Implementation of new IT tools and software.
- Training of participants on the market platform software for testing, prior to live implementation.
- Development of new business processes and new delegation of authority for Eskom line divisions and NTCSA.
- Implementation of measures to ensure the independence of the NTCSA.
- Further unbundling of Eskom Distribution and Eskom Generation from Eskom Holdings and the implementation of various measures to guarantee Eskom Distribution's independence as network service provider.
- Undertaking system testing (market trials, end-to-end tests, etc.) to ensure market platforms perform as intended prior to going live.

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DEPARTMENT OF HEALTH

NO. 7842 **21 August 2026**

PHARMACY ACT, 1974 (ACT NO. 53 OF 1974)

REGULATIONS RELATING TO PRACTICE OF PHARMACY: AMENDMENT

The Minister of Health has, in consultation with the South African Pharmacy Council, in terms of section 49(1)*(a)* and (3), read with section 5 of the Pharmacy Act, 1974 (Act No. 53 of 1974), made the regulations in the Schedule.

DR PAKISHE AARON MOTSOALEDI, MP
MINISTER OF HEALTH
DATE: 27/7/2026

SCHEDULE

Definition

1. In these regulations any word or expression to which a meaning has been assigned in the Act has the meaning so assigned and, unless the context otherwise indicates-

"Regulations" means the Regulations Relating to the Practice of Pharmacy published under Government Notice No. R. 1158 of 2000.

Amendment of regulation 14 of the Regulations

2. Regulation 14 is hereby amended by substitution of regulation 14 for the following:

"Supervision of pharmacy support personnel and pharmacist interns —

14. (1) A pharmacist in a community or institutional pharmacy may have a maximum of three pharmacy support personnel under his or her direct supervision: Provided that a pharmacist who is a tutor to a pharmacist intern or a pharmacy technician (trainee) may have a maximum of two pharmacy support personnel under his or her supervision.

(2) A pharmacist in wholesaler or manufacturing pharmacy may have a maximum of five pharmacy support personnel under his or her direct supervision: Provided that—

(a) a pharmacist has no more than three pharmacist's assistants (learner basic), pharmacist's assistants (learner post-basic), pharmacy technician (learner), or pharmacy technicians (trainee) under direct personal supervision;

(b) a pharmacist who is a tutor to a pharmacist intern may have a maximum of four pharmacy support personnel under his or her supervision, of which

only two may be pharmacist's assistants (learner basic), pharmacist's assistants (learner post-basic), pharmacy technicians (learner), or pharmacy technicians (trainee);

(3) A pharmacist who is a tutor to a pharmacist intern undergoing internship at a provider of an education and training programme approved by the council for purposes of registration as a pharmacist, may act as tutor to a maximum of five such interns and no pharmacy support personnel;

(4) A pharmacist who supervises pharmacist's assistants (post-basic) or Pharmacy Technicians at a PHC or any other facility approved by council may have a maximum of five pharmacy support personnel under his or her indirect supervision.

(5) A pharmacist may supervise a combination of pharmacy support personnel and interns in accordance with sub-regulations (1) and (2) or in accordance with guidelines as provided by council from time to time.

(6) For purposes of work-based learning or training under the auspices of a provider, in respect of education and training, Council may determine the supervision ratios from time to time.".

Short title

3. These Regulations are called Regulations Relating to the Practice of Pharmacy, 2026

KITSISO YA PUSO

Nmr. 2026

LEFAPHA LA BOITEKANELO

***PHARMACY ACT,* 1974 (MOLAO 53 WA 1974)**

MELAWANATAOLO E E AMANANG LE TIRAGATSO YA TIRO YA KABOMELEMO: TLHABOLOLO

Tona ya Boitekanelo, ka go rerisana le Lekgotla la Tiro ya Kabomelemo la Aforika Borwa, go ya ka karolo 49(1)*(a)* le (3), e e buisitsweng le karolo 5 ya *Pharmacy Act*, 1974 (Molao 53 wa 1974) o dirile melawanataolo e e mo Šejuleng

NG. PAKISHE AARON MOTSOALEDI, MP
TONA YA BOITEKANELO
LETLHA: 26/7/2026

ŠEJULE

Tlhaloso

1. Mo melawanataolong eno lefoko lengwe le lengwe kgotsa polelo e e abetsweng bokao mo Molaong e na le bokao jo e bo abetsweng jalo, ntle le fa bokaelo bo supa ka tsela esele-

Melawanataolo" go tewa Melawanataolo e e Amanang le Tiragatso ya Tiro ya Kabomelemo e e phasaladitsweng ka fa tlase ga Kitsiso ya Puso Nmr. R. 1158 ya 2000.

Tlhabololo ya molawanataolo 14 wa Melawanataolo

2. Molawanataolo 14 o tlhabololwa otlhe fano ka kemisetso ya molawanataolo 14 ka e e latelang:

"Bookamedi jwa batshegetsi ba tiro ya kabomelemo le baithutatiro ya kabomelemo —

14. (1) Moabamelemo mo baaging kgotsa mo khemiseng ya setheo o ka nna le palogodimo ya batshegetsi ba tiro ya kabomelemo ba le bararo ka fa tlase ga bookamedi jwa gagwe ka tlhamalalo: Fa fela moabamelemo yo e leng mofatlhosi wa moithutatiro ya kabomelemo kgotsa motegeniki wa tiro ya kabomelemo (mokatisiwa) a ka nna le palogodimo ya batshegetsi ba tiro ya kabomelemo ba le babedi ka fa tlase ga bookamedi jwa gagwe.

(2) Moabamelemo mo khemiseng e e rekisang ka bontsi kgotsa mo khemiseng ya madirelo o ka nna le batshegetsi ba tiro ya kabomelemo ba le batlhano ba ba ka fa tlase ga bookamedi jwa gagwe ka tlhamalalo: Fa fela—

(a) moabamelemo a se na bathusi ba tiro ya kabomelemo ba feta boraro (moithuti mo katisong ya lekwalo la thuto la motheo la bothusi mo tirong ya kabomelemo), bathusi ba tiro ya kabomelemo (moithuti mo katisong ya morago ga katiso ya lekwalo la thuto la motheo la bothusi mo tirong ya kabomelemo), motegeniki wa tiro ya kabomelemo (moithuti), kgotsa bategeniki ba tiro ya kabomelemo (mokatisiwa) ka fa tlase ga bookamedi jwa botho ka tlhamalalo;

(b) moabamelemo yo e leng mofatlhosi wa moithutatiro ya kabomelemo o ka nna le palogodimo ya batshegetsi ba tiro ya kabomelemo ba le bane ka fa tlase ga bookamedi jwa gagwe, ba mo go bona ke ba le babedi fela ba ba ka nnang bathusi ba moabamelemo (moithuti mo katisong ya lekwalo la thuto la motheo la bothusi mo tirong ya kabomelemo), bathusi ba moabamelemo (moithuti mo katisong ya morago ga katiso ya lekwalo la thuto la motheo la bothusi mo tirong ya kabomelemo), bategeniki ba tiro ya kabomelemo (moithuti), kgotsa bategeniki ba tiro ya kabomelemo (mokatisiwa);

(3) Moabamelemo yo e leng mofatlhosi wa moithutatiro ya kabomelemo yo o ithutang tiro kwa motlameding wa lenaneo la thuto le katiso le le amogetsweng ke lekgotla ka maikaelelo a go ikwadisa jaaka moabamelemo, o ka nna a dira jaaka mofatlhosi wa baithutatiro bao mme e seng batshegetsi ba tiro ya kabomelemo;

(4) Moabamelemo yo o okamelang bathusi ba tiro ya kabomelemo (ba morago ga katiso ya lekwalo la thuto la motheo la bothusi mo tirong ya kabomelemo) kgotsa Bategeniki ba Tiro ya Kabomelemo kwa PHC kgotsa kwa setheong sefe se se amogetsweng ke lekgotla o ka nna le palogodimo ya batshegetsi ba tiro ya kabomelemo ba le batlhano ka fa tlase ga bookamedi jwa gagwe jo bo sa tlhamalalang.

(5) Moabamelemo o ka okamela kopano ya batshegetsi ba tiro le baithutatiro ya kabomelemo go ya ka melawanataolotlaleletso (1) le (2) kgotsa go ya ka dikaedi jaaka di tlamelwa ke lekgotla nako le nako.

(6) Mo mabakeng a thuto kgotsa katiso e e ikaegileng ka tiro ka fa tlase ga tlhokomelo ya motlamedi, go ya ka thuto le katiso, Lekgotla le ka tlhomamisa tekanyetso ya bookamedi nako le nako.".

Setlhogokhutswe

3. Melawanataolo eno e bidiwa Melawanataolo e e Amanang le Tiragatso ya Tiro ya Kabomelemo, 2026.

NḒIVHADZO YA MUVHUSO

Nomboro ya. **2026**

MUHASHO WA MUTAKALO

MULAYO WA ZWA FAMASI WA, 1974 (MULAYO WA NOMBORO YA. 53 WA 1974)

NDANGULO DZA MALUGANA NA MUSHUMO WA ZWA FAMASI: KHWIṈISO

Minisiṱa wa Mutakalo, a tshi khou kwamana na Khoro ya zwa Famasi ya Afurika Tshipembe, u ya nga khethekanyo dza 49(1)*(a)* na (3), dzi tshi khou vhalwa na khethekanyo ya 5 ya Mulayo wa zwa Famasi wa, 1974 (Mulayo wa Nomboro ya. 53 wa 1974), o ita ndangulo kha Sheduḽu.

DOKOTELA VHO PAKISHE AARON MOTSOALEDI, MURAḒO WA PHALAMENNDE (MP)
MINISIṰA WA MUTAKALO
DATUMU:

SHEDULḒU

Ṱhalutshedzo

1. Kha dzino ndangulo ipfhi ḽiṅwe na ḽiṅwe kana kuambele kuṅwe na kuṅwe ku amba zwine zwa fana na zwenezwo zwi re kha Mulayo, fhedzi, nga nnḓa ha musi nyimele i tshi sumbedza nga iṅwe nḓila-

"Ndangulo" zwi amba Ndangulo dza Malugana na Mushumo wa Famasi dzo anḓadzwaho nga fhasi ha Nḓivhadzo ya Muvhuso ya Nomboro ya. 1158 ya 2000.

Khwiṋiso ya ndangulo ya 14 ya Dzindangulo

2. Ndangulo ya 14 i khou khwiṋiswa nga u imelwa ha ndangulo ya 14 sa zwi tevhelaho:

"Vhulavhelesi ha vhashumithikhedzi kha zwa famasi na vhorafamasingudamushumo —

14. (1) Rafamasi tshitshavhani kana kha famasi ya tshiimiswa a nga vha na vhashumithikhedzi kha zwa famasi vhararu musi vho ḓalesa nga fhasi hawe kana nga fhasi ha vhulavhelesi hawe ho livhaho: Tenda rafamasi ane ndi mudededzi kha rafamasingudamushumo kana rathekheniki kha zwa famasi (mugudiswa) a nga vha na vhashumithikhedzi kha zwa famasi vhavhili musi vho ḓalesa nga fhasi ha vhulavhelesi hawe.

(2) Rafamasi kha holosele kana famasi yaṱ zwa vhumagi a nga vha na vhashumithikhedzi kha zwa famasi vhaṱanu musi vho ḓalesa nga fhasi ha vhulavhelesi hawe ho livhaho: Tenda—

(a) rafamasi a si na vhorafamasithusedzi (mugudatheo kha zwa famasi), vhorafamasithusedzi (mugudi o no gudaho theo kha zwa famasi), rathekheniki kha zwa famasi (mugudi, kana vhorathekheniki kha zwa

famasi (mugudiswa) vhane vha fhira vhararu nga fhasi ha vhulavhelesi hawe ho livhaho;

(b) rafamasi ane ndi mudededzi kha rafamasingudamushumo a tshi nga vha na vhashumithikhedzi kha zwa famasi vhaṋa musi vho ḓalesa nga fhasi ha vhulavhelesi hawe, hune kha avha, vhavhili fhedzi hu nga vha vhorafamasithusedzi (mugudatheo kha zwa famasi), vhorafamasithusedzi (mugudi o no gudaho theo kha zwa famasi), vhorathekheniki kha zwa famasi (mugudi), kana vhorathekheniki kha zwa famasi (mugudiswa);

(3) Rafamasi ane ndi mudededzi kha rafamasingudamushumo ane u kha kuitele kwa u guda mushumo kha tshiimiswa tsha pfhunzo na mbekanyamushumo ya vhugudisi yo tendelwaho nga khoro u itela ndivho dza u ṅwalisa sa rafamasi, a nga vha kha vhuimo ha mudededzi kha vhagudamushumo kha avho vhaṱanu musi vho ḓalesa nahone hu si na vhashumithekhedzi kha zwa famasi;

(4) Rafamasi ane a lavhelesa vhorafamasithusedzi (o no gudaho theo dza zwa famasi) kana Vhorathekheniki kha zwa Famasi kha PHC kana tshiṅwe tshiimiswa tshiṅwe na tshiṅwe tsho tendelwaho nga khoro a nga vha na vhashumithekhedzi kha zwa famasi vhaṱanu musi vho ḓalesa nga fhasi ha vhulavhelesi hawe ho livhaho.

(5) Rafamasi a nga lavhelesa vhashumithikhedzi kha zwa famasi na vhagudamushumo vho ṱangana u ya nga ndangulo ṱhukhu dza (1) na (2) kana u ya nga tsumbanḓila dzine dza vhewa nga khoro misi yoṱhe.

(6) Hu tshi itelwa ndivho dza u guda ho sendekaho kha mushumo kana vhugudi nga fhasi ha thikhedzo ya muṋetshedzi, malugana na musi hu zwa pfhunzo na vhugudisi, Khoro i nga ta tshivhalo kha zwa vhulavhelesi misi yoṱhe.".

Dzina ḽipfhufhi

3. Dzino ndangulo dzi vhidzwa u pfhi Ndangulo dza malugana na Mushumo wa zwa Famasi dza, 2026

SATISO SAHULUMENDE

No. **2026**

LITIKO LETEMPHILO

UMTSETFO WETEMITSI, 1974 (UMTSETFO NO. 53 WANGA-1974)

IMITSETFOMGOMO LEPHATSELENE NEKUSEBENTA KWETEMITSI: KUCHITJIYELWA

INdvuna yeTemphilo, ngekubonisana neMkhandlu Wetemitsi waseNingizimu Afrika, ngekulandzela sigaba 49(1)*(a)* na- (3) kufundvwa nesigaba 5 seMtsetfo Wetemitsi, 1974 (uMtsetfo No. 53 wanga-1974), yente imitsetfomgomo kuleLuhlelo.

DKT PAKISHE AARON MOTSOALEDI, MP
INDVUNA YETEMPHILO
LUSUKU:

LUHLELO

Tinchazelo

1. Kulemitsetfomgomo nobe nguliphi ligama nobe inkhulumo leniketwe inchazelo kuloMtsetfo inenchazelo leniketwe yona futsi, ngaphandle uma umongo ukhombisa lokunye-

"Imitsotfomgomo" kusho imitsetfomgomo lephatselene nekusebenta kwebasebentisi Bemitsi lemiswe ngaphasi kweSatiso saHulumende No. R. 1158 wanga 2000.

Kuchitjiyelwa kwemtsetfomgomo 14 waleMitsetfomgomo

2. Umtsetfomgomo 14 uyachitjiyela ngekufaka esikhundleni semtsetfomgomo 14 lokulandzelako:

"Kucondziswa kwebasebenti labasita emakhemisi kanye nebafundzisi bemitsi—

14. (1) Usokhemisi emphakatsini nobe esikhungweni setekhemisi angaba nebantfu labatsatfu labasita emakhemisi lengaphansi kweliso lakhe lelicondzile: Uma ngabe usokhemisi longumfundzisi wemuntfu losita emakhemisi longasebenti nobe bochwepeshe bemaphilisi (loceceshwako) angaba nebantfu lababili labasita emakhemisi langaphansi kweliso lakhe.

(2) Usokhemisi losebenta ekhemisi lelitsengisa nobe lelikhicita emaphilisi angaba nebantfu labasihlanu labasita emakhemisi labahamba ngaphasi kweliso lakhe lelicondzile:Uma nje—

(a) Usokhemisi unebasiti bemphilisi labangabi ngetulu kwalabatsatfu (umfundzi wesisekelo), umfundzi wemphilisi (umfundzi losetulu

kwesisekelo), umfundzisi wemaphilisi (umfundzi) nobe umfundzisi wemaphilisi (loceceshwako) ngaphasi kweliso lelicondzile;

(b) Usokhemisi Longumfundzisi wemuntfu losebenta ekhemisi angase abe nebasebenti bekusekela basebenta ekhemisi labane ngaphansi kokwengamela kwakhe, lababili kuphela babo labangaba basiti bekhemisi (umfundzi losisekelo), basiti bekhemisi (bafundzi labalandzela sisekelo), bochwepheshe bemaphilisi (umfundzi), noma bochwepheshe bemaphilisi (baceceshwa);

(3) Usokhemisi longumfundzisi wemuntfu losebenta ekhemisi lowenta umsebenti wetekucecesha kumniketi weluhlelo lwemfundvo nekuceceshwa lolwamukelwe ngumkhandlu ngenhloso yekubhalisa njengemtsengisi wemitsi, angenta umsebenti wekutifundzisa kwalabasihlanu labanjalo labaceceshwako futsi kungabi nebasebenti labasita ekhemisi;

(4) Usokhemisi locondzisa basiti basokhemisi (emva kwesisekelo) noma bochwepheshe basekhemisi esikhungweni sezempilo noma kunoma ngisiphi lesinye sikhungo lesivunyelwe ngumkhandlu ungaba nebasebenti labasekela basekhemisi labasihlanu ngaphansi kweliso lakhe lelingakacondzi.

(5) Usokhemisi wemaphilisi angacondzisa inhlanganisela yebasebenti labasita emakhemisi kanye nebafundzi ngekulandzela imitsetfomgomo lencane (1) na-(2) nobe ngekulandzela tinkhombandlela letingahle tiniketwe ngumkhandlu ngetikhatsi letitsite.

(6) Ngetinjongo tekufundza ngekusebenta nobe kuceceshwa ngaphasi kwelusekelo lwemnikati, mayelana nemfundvo nekucecesha, uMkhandlu ungancuma emazinga ekugadza tikhatsi ngetikhatsi.

Sihloko lefishane

3. Lemitsetfomgomo ibitwa ngekutsi iMitsetfomgomo Lephatselene Nekusebenta kweMitsi, 2026.

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994
(ACT NO. 22 OF 1994)

Notice is hereby given in terms of Section 11(1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994 as amended), that claim/s for restitution of land rights on:

REF NO.	CLAIMANT	PROPERTY	LOT NUMBER	MUNICIPALITY	CURRENT LAND OWNER	INTERESTED PARTIES
HH 008	Mr Jackson Nyathi	Portion 2 (A portion of portion 1) of Lot No. 188 Premier Street, Eesterust	Portion 2 (A portion of portion 1) of Lot No. 188 Premier Street, Eesterust	Tshwane Metropolitan Municipality	Tshwane Metropolitan Municipality	Department of Land Reform and Rural Development Tshwane Metropolitan Municipality

has/have been submitted to the office of the Regional Land Claim Commission. The Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of Rule 5 of the Rules Regarding Procedure of Commission Established in terms of section 16 of Restitution of Land Rights Act as amended. Any interested party on the claim is hereby invited to submit, representations in terms of section 11A of the Restitution of Land Rights Act No. 22 of 1994 as amended within 07 (seven) working days from the publication date of this notice, any comments/information may be send to:

MR. L.H. MAPHUTHA
The Regional Land Claims Commissioner
Gauteng Province
Private Bag X 03
ARCADIA
0007
TEL: (012) 310-6500/6620
FAX: (012) 323-2961

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DEPARTMENT OF TRANSPORT

NO. 7844 **21 August 2026**

CIVIL AVIATION ACT, 2009 (ACT NO. 13 of 2009)

THIRTY-THIRD AMENDMENT OF THE CIVIL AVIATION REGULATIONS, 2026

(The English Text is the official text of the Regulations)

I, Barbara Creecy, Minister of Transport, hereby, in terms of section 155(1) of the Civil Aviation Act, 2009 (Act No. 13 of 2009), make the Regulations set out in the Schedule hereunder.

Ms. Barbara Creecy, MP
Minister of Transport
Date: 12/08/26

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SCHEDULE

CIVIL AVIATION ACT, 2009 (ACT NO. 13 OF 2009)

THIRTY-THIRD AMENDMENT OF THE CIVIL AVIATION REGULATIONS, 2026

GENERAL EXPLANATORY NOTE:

[ ] Words in bold type in square brackets indicate omissions from existing regulations.

_____ Words underlined with a solid line indicate insertions in existing regulations.

Definitions

In this Schedule "the Regulations" means the Civil Aviation Regulations, 2011 published by Government Notice No. R. 425 dated 1 June 2012, as amended. The regulations were initially promulgated on 1 June 2012 and came into effect on 1 August 2012. The regulations have since been amended by the Minister of Transport as follows:

(a) 30 July 2013 (First, Second, Third and Fourth Amendments);
(b) 7 March 2014 (Fifth Amendment);
(c) 1 October 2014 (Sixth Amendment);
(d) 22 December 2014 (Seventh Amendment);
(e) 27 May 2015 (Eighth Amendment);
(f) 1 September 2015 (Ninth Amendment);
(g) 30 October 2015 (Tenth Amendment);
(h) 30 December 2015 (Eleventh Amendment);
(i) 24 December 2015 (Twelfth Amendment);
(j) 12 February 2016 (Thirteenth Amendment);
(k) 28 October 2016 (Fourteenth Amendment);

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(l) 5 May 2017 (Fifteenth Amendment);
(m) 19 May 2017 (Sixteenth Amendment);
(n) 29 May 2017 (Seventeenth Amendment);
(o) 12 January 2018 (Eighteenth Amendment);
(p) 21 October 2018 (Nineteenth Amendment),
(q) 1 May 2019 (Twentieth Amendment);
(r) 1 April 2020 (Twenty-Second Amendment);
(s) 30 September 2021 (Twenty-Third Amendment);
(t) 15 November 2021 (Twenty-First Amendment);
(u) 10 May 2022 (Twenty-Fourth Amendment);
(v) 17 March 2023 (Twenty-Fifth and Twenty-Sixth Amendment);
(w) 13 April 2023 (Twenty-Seventh Amendment);
(x) 20 October 2023 (Twenty-Eighth Amendment);
(y) 28 June 2024 (Twenty-Ninth Amendment);
(z) 08 August 2024 (Thirtieth Amendment);
(aa) 01 April 2025 (Thirty-Second Amendment);
(bb) Thirty-First Amendment - (Promulgated 28 March 2025 and awaiting proclamation of the Civil Aviation Amendment Act of 2021, except for Part 139 which became effective 01 April 2025); and
(cc) Thirty- Fourth Amendment – (Promulgated 30 January 2026 and comes into operation on 1 April 2026).

Amendment of Part 1 of the Regulations

1. Regulation 1.01.1 of the regulations is hereby amended by—

(a) the insertion after the definition of “adjustable-pitch propeller” of the following definition:

“**‘advanced aircraft’** means an aircraft with additional equipment over and above equipment required for a basic aircraft for a given take-off, approach or landing operation;”;

(b) the insertion after the definition of “aeroplane” of the following definition:

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"**'agreement summary'** means a document transmitted with the Article 83 *bis* Agreement when such Agreement is registered with the ICAO Council to identify functions and duties that are transferred by a State of Registry to another State;";

(c) the substitution for the definition of "alternate aerodrome" of the following definition:

"**'alternate aerodrome'** means an aerodrome to which an aircraft may proceed when it becomes impossible or inadvisable to proceed to or to land at an aerodrome of intended landing **[and includes the following]** which is operational at the expected time of use, where the necessary services and facilities are available, where aircraft performance requirements can be met and, may include the following:

(a) a take-off alternate, which is an alternate aerodrome at which an aircraft can land should this become necessary shortly after take-off and it is not possible to use an aerodrome of departure;

(b) en-route alternate, which is an alternate aerodrome at which an aircraft would be able to land **[after experiencing an abnormal or emergency condition while en-route]** in the event that a diversion becomes necessary while en-route;

(c) ETOPS en-route alternate, which is a suitable and appropriate alternate aerodrome at which an aeroplane would be able to land after experiencing an engine shutdown or other abnormal or emergency condition while en-route in an ETOPS operation; and

(d) destination alternate, which is an alternate aerodrome to which an aircraft may proceed should it become either impossible or inadvisable to land at an aerodrome of intended landing.

Note: *An aerodrome from which **[a flight]** an aircraft departs may also be an en-route or a destination alternate aerodrome for that **[flight]** aircraft:";*

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(d) the insertion after the definition of "automatic dependent surveillance – broadcast" of the following definition:

"**'automatic deployable flight recorder'** means a combination flight recorder installed on an aircraft which is capable of automatically deploying from an aircraft;";

(e) the insertion after the definition of "Baseline CAA" of the following definition:

"**'basic aircraft'** means an aircraft which has the minimum equipment required to perform the intended take-off, approach, or landing operation;";

(f) the substitution for the definition of "continuous descent final approach (CDFA)" of the following definition:

"**'continuous descent final approach [(CDFA)]'** means a technique, consistent with stabilised approach procedures, for flying the final approach segment of a non-precision instrument approach procedure as a continuous descent, without level-off, from an altitude or height at or above the final approach fix **[altitude/height]** altitude or height to a point approximately 50ft (15m) above the landing runway threshold or the point where the flare manoeuvre **[should begin]** begins for the type of aircraft flown**[;]** , for the FAS of an NPA procedure followed by a circling approach, the CDFA technique applies until circling approach minima OCA/H or visual flight manoeuvre altitude or height are reached;";

(g) the substitution for the definition of "current flight plan" of the following definition:

"**'current flight plan'** means **[the air traffic service]** an ATS flight plan **[, including changes, if any, brought about]** that reflects changes to a filed flight plan by subsequent clearances;";

(h) the deletion of the definition of "disabled passenger";

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(i) the substitution for the definition of "duty" of the following definition:

"**'duty'** means any task that a crew member or ATS personnel is required by an air service operator or ANSP to perform, including, as the case may be, time-in-position, flight duty, administrative work, training, positioning and standby when such a task is likely to cause fatigue;";

(j) the substitution for the definition of "filed flight plan" of the following definition:
"**'filed flight plan'** means the latest flight plan as submitted by a pilot, an air service operator or a designated representative, for use by an ATSU;

***Note**: The FPL denotes a filed flight plan exchanged using aeronautical fixed service while eFPL denotes a filed flight plan exchanged using FF-ICE services. The eFPL allows for the exchange of additional information not contained within the FPL.*";

(k) the substitution for the definition of "flight plan" of the following definition:
"**'flight plan'** means specified information relative to an intended flight or portion of a flight of an aircraft;
***Note 1**: The term flight plan may be prefixed by the words "preliminary", "filed", "current" or "operational" to indicate the context and different stages of a flight.*

***Note 2**: When the word "message" is used as a suffix to this term, it denotes the contents and format of a flight plan data as transmitted.";*

(l) the substitution for the definition of "hazard" of the following definition:
"**'hazard'** means **[a situation or an object with the potential to cause death or injury to a person, damage to equipment or a structure, loss of material, or a reduction of ability to perform a prescribed function]** a condition or an object with the potential to cause or contribute to an aircraft incident or accident or its support staff or occupants;";

(m) the deletion of the definition of "handicapped passenger";

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(n) the insertion after the definition of "line oriented flight training" of the following definition:

"**'line station'** means a maintenance facility that is utilised to perform an action that is mandatory or required to be performed on an aircraft for the purposes of a turnaround, a route check or a transit check, and is limited to defects rectification repairable by replacement of line replaceable units;";

(o) the insertion after the definition of "lost C2 Link state" of the following definition:

"**'low-visibility operations'** means approach operations in RVRs less than 550m and with a DH less than 200ft (60m) or take-off operation in RVRs less than 400m;";

(p) the insertion after the definition of "operational control" of the following definition:

"**'operational credit'** means a credit authorised for operations with an advanced aircraft enabling a lower aerodrome operating minimum than would normally be authorised for a basic aircraft, based upon the performance of advanced aircraft systems utilising the available external infrastructure;";

(q) the substitution for the definition of "operations specifications" of the following definition:

"**'operations specifications'** means the authorisations including specific approvals, conditions and limitations associated with **[the air operator certificate]** an AOC, **[or]** QMS or **[maintenance organisation]** AMO and subject to the conditions in the operations manual or manual of procedures;

***Note**: **[Operations Specifications]** OpSpec form part of an AOC*;";

(r) the insertion after the definition of "payload" of the following definitions:

"**'peer volunteer'** in relation to a peer support programme, means a trained person who shares professional qualifications or experience and provides mental health support to a person seeking assistance from a peer support programme.

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Note: *This may or may not be a person working in the same organisation as a person seeking assistance from a support programme*;";

"**'performance-based aerodrome operating minimum'** means a lower aerodrome operating minimum, for a given take-off, approach, or landing operation, that is available when using a basic aircraft;

Note 1: *The PBAOM is derived by considering the combined capabilities of an aircraft and available ground facilities. Additional guidance material on PBAOM may be found in the Manual of All-Weather Operations (Doc 9365).*

Note 2: *PBAOM may be based on operational credits.*

Note 3: *PBAOM are not limited to PBN operations;";*

(s) the insertion after the definition of "period of operational duty" of the following definition:

"**'person with disability'** means a person whose mobility is reduced due to a physical incapacity including sensory or locomotor, intellectual deficiency, age, illness, or any other cause of disability;";

(t) the substitution for the definition of "point of no return" of the following definition:

"**'point of no return'** means the last possible geographic point at which an **[aeroplane]** aircraft can proceed to **[the]** a destination aerodrome as well as to an available en-route alternate aerodrome for a given flight;";

(u) the insertion after the definition of "pre-flight information bulletin" of the following definition:

"**'Preliminary flight plan'** means the information related to a flight submitted by an air service operator or its designated representative to conduct collaborative planning of a flight, prior to filing a flight plan;";

(v) the substitution for the definition of "pro-tem investigator" of the following definition*:*

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"'**pro-tem investigator'** means a person designated as such by the **[Director]** Executive responsible for Aircraft Accident and Incident investigation in terms of regulation 12.01.5 to assist an IIC in the initial phases of an investigation;";

(w) the deletion of the definition of "repetitive flight plan";";

(x) the substitution for the definition of "required communication performance" of the following definition:
"**'required communication performance'** means a **[statement of the performance requirements for operational communication in support of specific ATM functions;]** set of requirements for ATS provision and associated ground equipment, aircraft capability and operations needed to support performance-based communication;";

(y) the insertion after the definition of "safety risk" of the following definition:
"**'safety sensitive employee'** means any person whose duties or functions, if performed improperly, may pose a risk to aviation safety, and includes, but is not limited to, pilots, technical aircrew, cabin crew, aircraft maintenance personnel, and ATS personnel;";

(z) the insertion after the definition of "Satellite ATO" of the following definition:
"**'satellite station'** means a maintenance facility used for the performance of maintenance in terms of Part 145 approval and is located at a different location than a main base or principal place of business but constitutes an integral part of an AMO;";

(aa) the substitution for the definition of "specific approval" of the following definition:
"**'specific approval'** means an approval which is documented in the OpSpec for commercial air transport operations or in the list of specific approvals for non-commercial operations;";

(bb) the insertion after the definition of "State of the Operator" of the following definition:

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"**'State of the principal location of a general aviation operator'** means a State in which an air service operator of a general aviation aircraft has its principal place of business or, if there is no such place of business, its permanent residence;";

(cc) the insertion after the definition of "supplemental type certificate" of the following definition:
"**'surveillance'** means an activity which the Authority proactively verifies through inspection and audits, that an aviation licence, certificate, authorisation or approval holder, continues to meet the applicable requirements and functions at the required level of competency and safety;";

(dd) the substitution for the definition of "threshold time" of the following definition:
"**'threshold time'** means the range, expressed in time, established by **[the State of the operator] a State of** Operator to an en-route alternate aerodrome, whereby any time beyond, requires **[an]** a specific approval for EDTO **[approval]** from **[the]** such State **[of the operator]**;";

(ee) the substitution for the definition of "touring motor glider" of the following definition:
"**'touring motor glider'** means an **[aeroplane]** aircraft with a maximum all-up mass of not more than 850 kilograms fitted with an engine and having the characteristics of a glider when the engine is inoperative that is primarily controlled by manipulating its primary flight control surfaces by conventional methods **[and other classification parameters as are defined in Document SA-CATS 24]**;";

(ff) the insertion after the definition of "unmanned aircraft system" of the following definition:
"**'unmanned free balloon'** means a non-power-driven, unmanned lighter-than-air aircraft in free flight;";

(gg) the substitution for the definition of "validation" of the following definition:

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"**'validation'** means:

(a) an authorisation entered on a licence and forming part thereof to exercise one of the following:

(i) a specific rating at a specific ATSU; or

(ii) the privileges of a foreign licence to which it is attached, containing special conditions, privileges, or limitations pertaining to such rating, as the case may be;

(b) in relation to Part 173:

(i) a confirmation, through the provision of objective evidence, that the requirements for a specific intended use or application have been fulfilled; and

(ii) an activity whereby a data element is checked as having a value that is fully applicable to the identity given to the data element or set of data elements that is checked as being acceptable for the purpose;";

(hh) the substitution for the definition of "verification report" of the following definition:

"**'verification report'** means a document **[issued]** compiled by a verification body containing a verification **[statement]** opinion and required supporting **[information]** documentation;".

2. Regulation 1.01.2 of the regulations is hereby amended by—

(a) the insertion after the abbreviation of "DTO" of the following abbreviation:

"**'DUE'** means a designated unmanned aircraft system examiner;";

(b) the insertion after the abbreviation of "EFIS" of the following abbreviation:

"**'eFPL'** means electronic filed flight plan;";

(c) the insertion after the abbreviation of "FAWP" of the following abbreviation:

"**'FDP"** means flight duty period;";

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(d) the insertion after the abbreviation of "FDR" of the following abbreviation:
"**'FF-ICE'** means flight and flow information for a collaborative environment;":

(e) the insertion after the abbreviation of "FOP" of the following abbreviation:
"**'FPL'** means a filed flight plan;";

(f) the insertion after the abbreviation "PAR" of the following abbreviation:
"'**PBAOM'** means performance-based aerodrome operating minimum;";

(g) the insertion after the abbreviation of "PNF" of the following abbreviation:
"'**PNR'**" means a point of no return;";

(h) the insertion after the abbreviation of "RDH" of the following abbreviation:
"'**RFFS'** means rescue and fire-fighting service;".

Amendment of Part 21 of the Regulations

3. Part 21 of the regulations is hereby amended by:

(a) the substitution for the heading in Subpart 10 of the following heading:
"SUBPART 10: APPROVAL OF IMPORTED AIRCRAFT, PARTS AND APPLIANCES **[: IMPORT]**
21.10.1 Approval
21.10.2 Acceptance of Type Certificate
21.10.3 Requirements for importing an aircraft to the Republic";

(b) the insertion after regulation 21.10.2 of the following regulation:
"**Requirements for importing an aircraft to the Republic**
21.10.3 (1) A person who wishes to import an aircraft into the Republic shall submit the following documents, in respect of an aircraft for which a South African certificate of airworthiness is desired:

(a) a certificate or notification of cancellation from an appropriate authority of a State in which an aircraft was last registered, or a

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certificate or notification of non-registration from an appropriate authority of a State from which an aircraft is imported;

(b) an export certificate of airworthiness or existing certificate of airworthiness, valid or expired, as applicable;

(c) a certified statement issued by a manufacturer, an approved AMO or a former air service operator to the effect that mandatory modifications and special inspections have been carried out;

(d) a list of embodied STCs, service bulletin and approved major modifications on the product;

(e) a list of airworthiness directives incorporated from a manufacturer's State of Design;

(f) a list of time or life limited items on a product;

(g) a copy of an aircraft mass and balance report and equipment list showing the masses and moment arms of the main components and installed equipment;

(h) current manufacturer's aircraft flight manual;

(i) current aircraft equipment list;

(j) a copy of instructions for continued airworthiness including a maintenance planning document or maintenance manual, and airworthiness limitations document, as applicable;

(k) a copy of an airframe, engine, propeller and auxiliary power unit logbook and release from the last shop visit, as applicable;

(l) a copy of a manufacturer's production test flight report for an aircraft delivered from a factory; and

(m) an electrical load analysis correctly filled out and updated.".

Amendment of Part 61 of the Regulations

4. Part 61 of the Regulations is hereby amended by—

(a) the substitution in the list of regulations for Subpart 2 of the following Subpart:

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"SUBPART 2:
STUDENT PILOT LICENCE AND INTERGRATED STUDENT PILOT LICENCE

61.02.1 Requirements for **[a]** SPL or ISPL
61.02.2 Application for **[a]** SPL or ISPL
61.02.3 **[Issuing]** Issuance of **[a]** SPL or ISPL
61.02.4 Validity of **[a]** SPL or ISPL
61.02.5 Privileges and limitations of **[a]** SPL or ISPL
61.02.6 Ratings for special purpose for **[a]** SPL or ISPL
61.02.7 **[Discontinuance of Flight training]** Slow progress and assistance program
61.02.8 Termination of student training";

(b) the substitution for regulation 61.02.1 of the following regulation:

"**STUDENT PILOT LICENCE AND INTEGRATED STUDENT PILOT LICENCE**

Requirements for [a] SPL or ISPL

61.02.1 An applicant for **[a]** an SPL or ISPL shall—

(a) be 15 years or older **[, except where provided otherwise in Part 62]**;

(b) hold a valid medical certificate issued in terms of Part 67;

(c) for the issuance of an SPL, be registered with an ATO **[approved aviation training organization for training towards a PPL.]**; and

(d) for the issuance of an ISPL, be registered with an ATO approved for conducting integrated training.";

(c) the substitution for regulation 61.02.2 of the following regulation:

"**Application for [a] SPL or ISPL**

61.02.2 (1) **[The]** An application for **[a]** an SPL or an ISPL must be made to the Director **[on]** in the appropriate form and shall include the following:

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(a) a name and number of an ATO at which an applicant is registered; and

(b) *an appropriate aircraft by name on which training will be conducted, provided that a student pilot shall be restricted to three types of aircraft.*

(2) The form referred to in subregulation (1) shall be accompanied by—

(a) a copy of an ID or passport of an applicant, as applicable;

(b) a recent passport-size photograph of an applicant;

(c) a valid medical certificate issued in terms of Part 67; and

(d) the appropriate fee as prescribed in Part 187.

(3) In the case where a holder of an SPL or an ISPL transfers to another ATO, such a holder shall apply for re-issuance of an SPL or an ISPL to the Director.";

(d) the substitution for regulation 61.02.3 of the following regulation:

"**[Issuing] Issuance of [a] SPL or ISPL**

61.02.3 (1) The Director shall issue **[a]** an SPL or an ISPL **[in the appropriate prescribed form, as by the Director,]** if **[the]** an applicant complies with the requirements **[referred to in regulation 61.02.2]** prescribed in this Subpart.

(2) Upon receipt of **[the]** an SPL or an ISPL, **[the]** a holder must immediately affix his or her signature thereon in ink in the space provided for such purpose.

(3) An SPL or an ISPL shall be endorsed with a name of an ATO at which a holder is registered.

(4) Subject to the provisions of subregulation (5), training of a holder of an SPL or an ISPL shall only be conducted under the auspices of an ATO at which such holder is currently registered.

(5) Where an ATO is unable or not approved to offer a specific training component, a student pilot may be referred to another approved ATO, provided that such referral−

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(a) is only done for the purpose of providing a specified training component;

(b) is done by completing the appropriate form; and

(c) complies with referral procedure prescribed in Document SA-CATS 61.";

(e) the substitution for regulation 61.02.4 of the following regulation:

"**Validity of [a] SPL or ISPL**

61.02.4 [(1) A] An SPL or an ISPL is valid for a period of **[2 years]** 24 months from the date of issue, provided that the annual currency **[fees are]** fee is paid. **[(2) The holder of a valid SPL may not exercise the privileges of that licence unless he or she –**

(a) is in possession of a valid medical certificate, issued to him or her in terms of Part 67; and

(b) has submitted a copy of the medical certificate to the licensing authority, as required in regulation 61.01.6 (6), in the event that the aviation medical examiner is unable to submit electronic data to the Director].";

(f) the substitution for regulation 61.02.5 of the following regulation:

"**Privileges and limitations of [a] SPL or ISPL**

61.02.5 (1) **[The]** A holder of a valid SPL may **[only]** fly solo as prescribed in Document SA-CATS 61, **[at the age of 16 or more, for the purpose of training for the applicable pilot licence]** for the purpose of training towards the issuance of a PPL in the applicable category, provided that –

(a) **[in the type of aircraft in which he or she is undergoing training as endorsed in his or her logbook]** such holder is 16 years of age or older;

(b) **[after a prior written authorisation thereto for a flight, or a sequence of flights, as prescribed in the relevant curriculum and all such flights are under the supervision of the holder**

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of an appropriate and valid flight instructor rating, or a person appointed by the Chief Flying Instructor, provided that such person is the holder of at least a PPL] an aircraft model in which a solo flight is conducted is endorsed in a logbook of such SPL holder;

(c) **[without carrying any passengers]** a passenger is not carried on board of an aircraft; and

(d) **[on a flight other than an international flight]** a flight is conducted within the borders of the Republic, in VMC by day. **[; and]**

[*(e)* in VMC by day.]

(2) **[Notwithstanding the provisions of sub-regulation (1), a student undergoing the integrated training may exercise the privileges of his or her SPLIC also]** A holder of a valid ISPL may exercise the privileges of an SPL and such holder may—

(a) **[Operates]** operate in VMC by night, provided that such a person **[if he or she is a holder]** holds **[of]** a **[valid]** night rating;

(b) operate in IMC as a student PIC under the supervision of a flight instructor who holds an instrument flight instructor endorsement; and **[operates under IFR, if he or she is a holder of a valid instrument rating; and]**

(c) carry a student pilot undergoing integrated training at the same ATO for the purpose of navigation flight training only and provided that such holder is authorised by a Grade I or Grade II flight instructor as stipulated in a training and procedural manual of an ATO.

(3) Except in an emergency, a student pilot may not land **[or take-off in]** an aeroplane **[from]** on an area other than an aerodrome.

(4) If a student pilot has executed an emergency landing with an aeroplane in an area other than an aerodrome, only **[the]** a holder of a CPL or ATPL, or

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another pilot approved for the purpose in writing by the Director, may fly that aeroplane out of that area.";

(g) the substitution for regulation 61.02.6 of the following regulation:
"**Ratings for special purposes for [a SPL] ISPL**

61.02.6 [(1)] [A student pilot, undergoing the integrated training may undergo training for, and apply for, a night rating.] An ISPL may be endorsed with a night rating in accordance with this Part.

[(2) An application for the night rating must be made in accordance with the provisions of Subpart 14].";

(h) the substitution for regulation 61.02.7 of the following regulation:

"**[Discontinuance of flight training] Slow progress and assistance program**

61.02.7 (1) In a case where a student pilot demonstrates significantly slow progress, an ATO shall timeously implement an assistance program.

(2) An assistance program referred to in subregulation (1) shall be designed to determine the cause of a slow progress and implement corrective measures to assist a student pilot, as prescribed in Document SA-CATS 61.

(3) In the case where a student pilot that is subject to an assistance program has reached 80 hours of flight time without obtaining a PPL, the skills test towards a PPL shall be conducted by a DFE.";

(i) the insertion after regulation 61.02.7 of the following regulation:
"**Termination of student training**

61.02.8 (1) Termination of training of a student pilot by an ATO shall be done in accordance with an ATO's training and procedures manual.

(2) An ATO shall report termination of a student pilot's training to the Director in an appropriate form as prescribed in Document SA-CATS 61.

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(3) The reporting referred to in subregulation (2) shall not replace any mandatory or safety-related reporting requirements which are provided in the Regulations.".

Amendment of Part 65 of the Regulations

5. Part 65 of the regulations is hereby amended by –

(a) the substitution for Subpart 13 of the List of Regulations of the following List of Regulations:

"SUBPART 13:

GRADE ONE AIR TRAFFIC SERVICE INSTRUCTOR (OPERATIONAL) RATING

65.13.1	Requirements for Grade One air traffic service instructor (operational) rating
65.13.2	Training
65.13.3	Application for issuing of Grade One air traffic service instructor (operational) rating
65.13.4	Issuing of Grade One air traffic service instructor (operational) rating
65.13.5	Requirements for validation of Grade One **[air traffic service]** ATS instructor (operational) rating
65.13.6	Application for validation of Grade One air traffic service instructor (operational) rating
65.13.7	Validation of Grade One air traffic service instructor (operational) rating
65.13.8	Privileges of Grade One air traffic service instructor operational rating
65.13.9	Duration of validation or renewal
65.13.10	Renewal of Grade One air traffic service instructor (operational) rating";

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(b) the substitution for regulation 65.13.5 of the following regulation:

"**Requirements for validation of Grade One [air traffic service] ATS instructor (operational) rating**

65.13.5 (1) An applicant for the validation of a Grade One ATS instructor (operational) rating shall possess−

(a) at least two years practical experience as either an ATC or as an ATS assistant in the appropriate rating at an ATSU for which a rating was validated, and

(b) a minimum of one year experience as a Grade Two ATS instructor.

(2) An applicant for the validation of a Grade One ATS instructor (operational) rating for an initial ATSU approval shall—

(a) have at least three years current operational experience in the service being applied for and at least two years current instructor experience;

(b) have successfully completed local airfield theoretical training such as station standing instructions, aerodrome layout and airspace knowledge;

(c) have successfully completed 25 hours simulated training;

(d) have successfully completed a validation assessment conducted by a panel of authorised inspectors, safety management representatives from the ANSP, and designated examiners.

(3) An ANSP shall—

(a) keep a record of training; and

(b) conduct regular checks to ensure the required standards are maintained.";

(c) the substitution for regulation 65.14.5 of the following regulation:

"**65.14.5** (1) An applicant for the validation of a Grade Two ATS instructor (operational) rating shall—

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(a) in the case of an ATS assistant instructor, have at least six months practical experience in the appropriate rating at an ATSU for which a rating was validated; and

(b) in the case of an ATC instructor, have at least 12 months practical experience in an appropriate rating at an ATSU for which a rating was validated.

(2) An applicant for the validation of a Grade Two ATS instructor (operational) rating for an initial ATSU approval shall—

(a) have at least three years current operational experience in the service being applied for and at least two years current instructor experience;

(b) have successfully completed local airfield theoretical training such as station standing instructions, aerodrome layout, and airspace knowledge;

(c) have successfully completed 25 hours simulated training; and

(d) have successfully completed a validation assessment conducted by a panel of authorised inspectors, safety management representatives from the ANSP, and designated examiners.

(3) An ANSP shall—

(a) keep a record of training; and

(b) conduct regular checks to ensure the required standards are maintained.".

Amendment of Part 66 of the Regulations

6. Part 66 of the Regulations is hereby amended by:

(a) the substitution for the List of Regulations of the following List of Regulations:

"SUBPART 1: GENERAL

66.01.1 Applicability

66.01.2 Authority to act as aircraft maintenance engineer

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66.01.3 Classes of licences
66.01.4 Groups of airframes and engines
66.01.5 Categories of ratings
66.01.6 Competency
66.01.7 Consumption of alcohol and drugs
66.01.8 Language
66.01.9 Validation of licence issued by appropriate authority
66.01.10 Register of licences
66.01.11 Designation of examiners
66.01.12 Re-designation as **[designated examiner (DE)]** EDE
66.01.13 Register of **[designated examiners (DE)]** EDEs
66.01.14 Training
66.01.15 Logbooks";

(b) the substitution for regulation 66.01.12 of the following regulation:

"**Re-designation as [Designated Examiner (DE)] EDE**

66.01.12(1) An applicant for re-designation as **[designated examiner]** an EDE must be made on the prescribed form not less than 90 days prior to the beginning of the month in which the designation expires **[, together with the fee as prescribed in Part 187]**.

(2) Submission of such application does not automatically entitle **[the]** an applicant to continue to exercise the privileges of **[a ED]** an EDE after the expiry date.

(3) The Director may issue the **[designation]** re-designation if **[the]** an applicant has been subject to the oversight under auspices of the **[authority]** Authority prescribed in subregulation 66.01.11 and has attended an annual EDE conference or seminar organised by the Authority.

(4) The requirements for re-designation as an EDE are prescribed in Document SA-CATS 66.";

(c) the substitution for regulation 66.01.13 of the following section:

"**Register of [DE's] EDEs**

66.01.13. (1) The Director shall maintain a register of **[all DE's]** EDEs.

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(2) The register referred to in **[sub-regulation]** subregulation (1) shall contain the following details**[—]**:

(a) name;

(b) category and privileges of **[the]** a designation or approval;

(c) licences and ratings held; and

(d) expiry date.".

Amendment of Part 71 of the Regulations

7. Part 71 of the Regulations is hereby amended by:

(a) the substitution for the List of Regulations of the following List of Regulations:

"SUBPART 1: GENERAL

71.01.1 Applicability
71.01.2 Authority to act as pilot
71.01.3 Categories and ratings for holder of RPC
71.01.4 Competency and revalidation check
71.01.5 Medical fitness
71.01.6 Language
71.01.7 Logging of flight time
71.01.8 Training for acquiring RPC or rating
71.01. 09 Maintenance and record keeping of RPC
71.01.10 Endorsement of pilot logbook
71.01.11 Duty period limitation
71.01. 12 Operations in controlled airspace

SUBPART 2: ORGANISATION AND POLICY

71.02.1: Requirements for **[issuance of]** RPC
71.02.2: Flight training
71.02.3: Theoretical knowledge examination for RPC
71.02.4: Skills test for RPC
71.02.5: Payment of currency fee
71.02.6: Privileges and limitations of RPC

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71.02.7: Period of Validity of RPC
71.02.8: Maintenance of competency for RPC

SUBPART 3: RPC INSTRUCTOR RATING
71.03.1: Requirements for RPC Flight Instructor Rating
71.03.2: Application for RPC Flight Instructor Rating
71.03.3: Ground Evaluation and Skills test for initial RPC Instructor Rating
71.03.4: Validity and limitations of RPC Instructors Rating

SUBPART 4: DESIGNATION OF DUE
71.04.1: Designation as DUE by Director
71.04.2: Requirements for designation as DUE
71.04.3: Application for initial designation as DUE
71.04.4: Validity period of DUE designation
71.04.5: Re-designation
71.04.6: Suspension or withdrawal of designation
71.04.7: Privileges and limitations of DUE
71.04.8: Register of DUEs";

(b) substitution for regulation 71.01.1 of the following regulation:
"**71.01.1** (1) This Part applies to—
(a) the issuance, revalidating, and reissuance of RPC and RPC ratings; and
(b) UAS in relation to the issuance, revalidating, and reissuance of a South African RPC and rating, instructor rating, designation of DUEs, and matters related thereto.";

(c) the substitution for regulation 71.01.2 of the following regulation:
"**71.01.2** (1) A person may not act as a remote pilot within the Republic, unless such person—
(a) **[holds a valid RPC and a rating in the relevant category issued in terms of this Part;]** has completed an RPC course at an approved ATO;
(b) has **[received flight instruction; and]** undertaken a skills test; and
(c) has **[successfully completed the skills test]** been issued with a valid RPC and a rating in the relevant category issued in terms of this Part.";

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(d) the substitution for regulation 71.01.3 of the following regulation:

"**71.01.3** (1) An RPC **[may]** shall be issued for the following categories:

(a) RPC (A): Aeroplane;

(b) RPC (H): Helicopter; or

(c) RPC (MR): Multi-Rotor.

(2) The following ratings **[may]** shall be endorsed on an RPC:

(a) VLOS;

(b) E-VLOS; or

(c) B-VLOS.";

(e) the substitution for regulation 71.01.4 of the following regulation:

"**71.01.4** (1) A holder of an RPC or rating in terms of this Part shall not exercise the privileges granted by an RPC or rating, unless such a holder maintains competency by complying with the requirements provided in this Part.

(2) **[A revalidation check for a holder of an RPC shall be conducted by an authorised examiner within 90 days before the expiry date of an RPC]** A holder of an RPC shall undergo a revalidation check before the expiry of a competency or a rating, provided that—

(a) such a holder shall submit to the Director, an application for revalidation of a competency or a rating, in a prescribed form, within 30 days of such revalidation check;

(b) a new expiry date shall be calculated from the last day of the month in which a revalidation check was conducted; and

(c) the Director may grant an extension not exceeding 30 days from the date of expiry of a competency or a rating upon receipt of an application accompanied by written reasons providing exceptional circumstances.

(3) **[A holder of an RPC shall, upon successful completion of revalidation check, submit the prescribed revalidation check form published on the website of the Authority from time to time, to the**

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Director within 30 days of a revalidation check] A skills test for the issuance of an RPC or rating shall be conducted under the auspices of an ATO and such skills test shall be conducted by a DUE.

(4) A revalidation check conducted in terms of subregulation (2) **[for a holder of an RPC shall be conducted in an aircraft of the same category for which an RPC is held]** shall be valid until the last day of the 24th month from the date of issuance.

(5) A revalidation check **[for a holder of an RPC shall be valid until the last day of the 24th month from the date of issue]** shall be conducted on a UAS of the same category for which an RPC is held.

(6) **[If a revalidation check of a holder of an RPC is completed more than 90 days before expiry, an RPC shall be re-issued on the date of the last day of the month in which a revalidation check was conducted, for a 24 month period.]** A DUE who conducts an initial skills test or revalidation check shall endorse a logbook of an applicant or pilot as prescribed in Document SA-CATS 71.

(7) Where an applicant or pilot fails to complete an initial skills test or revalidation check, an applicant or pilot shall—

(a) undergo remedial training at an approved ATO to reach the standard required for the applicable skills test or revalidation; and

(b) undergo a retest of the initial skills test or revalidation check which shall not be conducted within 24 hours of failure to complete.

(8) In a case where the ground assessment of the test is successful, but the practical assessment is unsuccessful, a DUE shall only retest on the part relating to the practical assessment.

(9) An RPC instructor who conducted remedial training in terms of subregulation (7) shall issue a letter of recommendation to a DUE prior to a retest.

(10) An applicant or pilot who was unsuccessful as referred to in subregulation (7) may not exercise the privileges of his or her licence or rating until he or she has successfully passed a re-test.

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(11) A ground evaluation and the practical part of an initial skills test or revalidation may be conducted on different dates under unforeseen circumstances, not exceeding a period of 30 days.

(12) Where the period referred to in subregulation (11) exceeds 30 days, a ground evaluation and practical part of a test shall be repeated.

(13) In the case where the practical part of a test is not conducted on the same date as ground evaluation, a DUE shall specify the circumstances for the different dates in the prescribed form.

(14) An application for the issuance of an RPC or rating shall be made to the Director in a prescribed form which must be submitted within 30 days of completing a test.

(15) The initial expiry date of an RPC or validity of a rating shall be calculated from a last day of a month in which a skills test was conducted.

(16) In the event that an RPC holder fails to demonstrate the skills and knowledge referred to in this Part during a revalidation test, the Director shall require an RPC holder to immediately refrain from exercising the privileges of his or her RPC or rating.

(17) Where an RPC holder fails to comply with the requirements of a revalidation test, such RPC holder shall−

(a) undergo remedial training at an ATO approved to conduct training in terms of this Part;

(b) obtain a new letter of recommendation from an ATO referred to in paragraph (*a*) which confirms the content of a remedial training and that an RPC holder has reached the standards required for revalidation of an applicable licence or rating; and

(c) undergo an applicable revalidation test with a DUE appointed by the Director.

(18) A person whose RPC or rating has been cancelled by the Director shall comply with the requirements for initial issue of an applicable licence or rating, provided that an application for issuance of a licence or rating shall not be within a period of 24 months calculated from a date of cancellation.

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(19) An initial skills test or revalidation check shall not be conducted on a flight conducted under a UASOC.";

(f) the substitution for regulation 71.01.5 of the following regulation:

"Medical Fitness

"**71.01.5** (1) **[An applicant for an RPC in terms of this Part shall hold an appropriate valid medical certificate issued in terms of Part 67.]** An RPC holder shall hold a valid medical certificate in accordance with Part 67.";

(g) the substitution for regulation 71.01.7 of the following regulation:

"**71.01.7** (1) A holder of **[an]** an RPC shall maintain a pilot logbook with records of the following:

(a) flight time; **[and]**

(b) ELVOS time;

(c) BVLOS time; and

(d) instruction time.

(2) Flight time shall only be logged by a holder of a valid RPC and appropriate rating.

(3) If a holder of an RPC utilises an electronic logbook and shall print and file the electronic data every 90 days.

(4) A holder of an RPC shall retain a pilot logbook for at least 60 months from the date that such holder ceases to hold a valid RPC.

(5) A holder of an RPC shall produce a logbook for inspection upon request by an authorised officer, inspector or authorised person.

(6) A PIC flight time may only be logged by a holder of a valid RPC.

(7) Dual flight time shall only be logged when a pilot receives dual instruction at an ATO approved for training in terms of this Part and shall include a record of air exercises undertaken.";

(h) the insertion after regulation 71.01.7 of the following regulations:

"**Training for acquiring RPC or rating**

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71.01.8 Training for the purpose of acquiring an RPC or rating as required by this Part may only be conducted by a holder of an ATO approval, issued in terms of Part 141 and as prescribed in Document SA-CATS 71.

Maintenance and record keeping of RPC

71.01.9 (1) The Director shall maintain and keep a register of RPCs and ratings issued or validated in terms of this Part.

(2) A register referred to in subregulation (1) shall contain the following information which shall be recorded upon issuance of an RPC, rating, or validation:

(a) full name of a holder of an RPC;

(b) date of birth;

(c) postal and residential addresses of a holder of an RPC;

(d) date on which an RPC was issued;

(e) rating held by a holder of an RPC; and

(f) nationality of a holder of an RPC.

(3) An RPC holder shall notify the Director within 30 days of any changes to information referred to in subregulation (2).

(4) A holder of an RPC shall pay the currency fee as prescribed in Part 187 on or before the anniversary date of an RPC, as applicable.

Endorsement of pilot logbook

71.01.10 (1) An RPC holder wishing to apply for an RPC rating or revalidation shall have an applicable endorsement in such holder's pilot logbook, as prescribed in Document SA-CATS 71.

(2) An endorsement referred to in subregulation (1) shall, at least, include the following details:

(a) date of skills test;

(b) UAS registration and type;

(c) name and licence number of a DUE; and

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(d) name of an ATO.

(3) A DUE conducting skills test or revalidation check shall stamp, sign, initial, and date the prescribed form, as required, before submitting to the Director for processing.

(4) A stamp referred to in subregulation (3) shall include the following:

(a) initials and surname of DUE;

(b) pilot RPC number of a DUE; and

(c) designation applicable to a DUE, such as DUE (A), (H), DUE (MR); as the case may be.

(5) A form referred to in subregulation (3) shall be invalid if it contains incorrect information.

Duty period limitation

71.01.11 (1) Duty period shall be complied with in accordance with the operational requirements of Part 141.

(2) An ATO shall submit a proposed scheme for flight time and duty period and minimum rest period to the Director for approval as prescribed in Document SA-CATS 141.

(3) A deviation from an approved scheme referred to in subregulation (2) shall be submitted to the Director for approval.

(4) An ATO shall—

(a) maintain current flight time and duty period records of flight crew members employed by such ATO; and

(b) retain flight time and duty period records for a period of 24 calendar months calculated from a date of a last flight of each flight instructor.

(5) An instructor who is employed by more than one UASOC or ATO or who accumulates flight time outside of his or her employment, shall maintain an accurate record of flight time and duty period and provide a copy to entities by whom such flight crew member is employed.

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(6) An ATO may not allow an RPC instructor to exceed the maximum flight times of−

(a) 3 hours, during any duty period;

(b) 16 hours, during the preceding seven days;

(c) 50 hours, during the preceding thirty days;

(d) 150 hours, during the preceding 90 days; or

(e) 500 hours, during the preceding 365 days.

(7) If an RPC instructor anticipates his or her projected cumulative flight hours for a particular operation to exceed an appropriate limit, such RPC instructor shall inform an ATO accordingly.

(8) An RPC instructor shall—

(a) not work more than seven consecutive days between days off;

(b) have two consecutive days off in any consecutive 14 days;

(c) have a minimum of six days off in any consecutive four weeks from a main base of operation; and

(d) have an average of at least eight days off in each consecutive four-week period, averaged over three such periods.

(9) A trainee at an ATO shall not be required to attend classes of instruction for more than eight hours in any day, or more than six days or 40 hours in any seven-day period.

Operations in controlled airspace

71.01.12 (1) An ATO shall not operate a UAS in controlled airspace, except if such operation is approved by the Director.

(2) If the Director grants an approval in terms of subregulation (1), such approval shall, subject to compliance with the conditions prescribed by the Director, be−

(a) reflected in an ATO's approved training and procedures manual and OpSpec; and

(b) restricted to VMC in an ATZ and CTR below 400ft.";

(i) the substitution for regulation 71.02.1 of the following regulation:

"**Requirements for [Issuance of] RPC**

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71.02.1 (1) An application for **[an]** an RPC shall be made to the Director on **[an appropriate]** the prescribed form published on the website of the Authority, within 30 days of complying with the requirements provided in **[sub]** this regulation **[(2)]**.

(2) An applicant of an RPC shall–

(a) not be younger than 18 years of age **[or older]**;

(b) hold a medical certificate in terms of Part 67; **[at least:**

(i) a valid class 3 medical certificate for a B-VLOS operation or class 3 or higher UAS operation; or

(ii) a self-declared medical assessment report as prescribed in Document SA-CATS 67 for all other class or type of operation;]

(c) **[hold at least a restricted aeronautical radiotelephony certificate;]** have completed the flight training referred to in this Part;

(d) have passed a theoretical knowledge examination referred to in this Part;

(e) have passed a skills test referred to in this Part; and

(f) have paid the applicable fee in terms of Part 187.

(3) The application referred to in subregulation (1) shall be accompanied by—

(a) documentation proving that an applicant has passed a theoretical knowledge examination referred to in regulation 71.02.3;

(b) an applicant's flying logbook summarised in the format as prescribed in Document SA-CATS 71;

(c) a skills test report as prescribed in Document SA-CATS 71;

(d) two recent passport-size photographs of an applicant; and

(e) proof of payment of the fee as prescribed in Part 187.

(4) The Director may issue an RPC to an applicant if satisfied that an applicant complies with the requirements referred to in subregulations (2) and (3).

(5) When issuing an RPC, the Director may impose any condition deemed necessary.";

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(j) the substitution for the heading in regulation 71.02.3 of the following heading: "Theoretical knowledge examination for RPC";

(k) the substitution for regulation 71.02.3 of the following regulation:

71.02.3 (1) An applicant for an RPC shall undergo a theoretical knowledge examination applicable to the category of RPC applied for and shall obtain it within 90 days preceding a skills test.

(2) A theoretical knowledge examination referred to in subregulation (1) shall be conducted at a test centre **[accredited]** approved by the Director.

(3) The Director may **[accredit any foreign theoretical knowledge examination undertaken if such an examination complies with the requirements of flight,]** grant credit for any previous training or licence held and consider each application on a case-by-case basis to ascertain if such training is recognised by the Director.

(4) The syllabi and other requirements for a theoretical knowledge examination shall be as prescribed in Document SA-CATS 71.";

(l) the substitution for the heading in regulation 71.02.4 of the following heading: "Skills test for RPC";

(m) the substitution for regulation 71.02.4 of the following regulation:

"**71.02.4** (1) A skills test for an RPC shall be conducted within 60 days of completing **[a]** flight training **[by an authorised examiner]** by a DUE.

(2) A skills test referred to in subregulation (1) shall be conducted with an UAS of the same category for which an RPC is sought.

(3) A holder of an RPC shall submit **[results of]** skills test results to the Director within 30 days of taking such test.

(4) A skills test for an RPC shall include the applicable sections for the **[E-VLOS or B-VLOS]** rating sought **[if one or more of these ratings are the E-VLOS rating is sought]**.";

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(n) the substitution for regulation 71.02.5 of the following regulation:
"**71.02.5** A holder of an RPC shall pay **[the]** an annual currency fee as stipulated in Part 187 on or before the anniversary date of **[the issuance of such]** an RPC.";

(o) the substitution for the heading in regulation 71.02.6 of the following heading:
"Privileges [and validity] of RPC";

(p) the substitution for regulation 71.02.6 of the following regulation:

"**71.02.6** (1) A holder of an RPC may not exercise a privilege of that RPC unless—

(a) he or she **[holds a valid medical certificate as prescribed in Part 67; and]** complies with the requirements provided in regulation 71.02.1; and

(b) maintains competency and complies with the revalidation requirements as stipulated in this Part.

(2) A holder of an RPC may act as a PIC of a UAS provided that such holder is—

(a) employed by a holder of a UASOC;

(b) operating a UAS in terms of regulation 101.01.2; or

(c) not remunerated for acting in his or her capacity as a pilot while operating a UAS in terms of this Part.";

(q) the substitution for the heading in regulation 71.02.7 of the following heading:
"Period of validity of RPC";

(r) the substitution for regulation 71.02.7 of the following regulation:
"**71.02.7** (1) An RPC shall be valid until the last day of the 24th month from the date of **[issue]** issuance, provided that−

(a) a currency fee prescribed in Part 187 is paid; and

(b) competency is maintained in terms of this Part.";

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(s) the insertion after Subpart 2 of the following Subparts:

"SUBPART 3: RPC INSTRUCTOR RATING

Requirements for RPC Instructor Rating

71.03.1 (1) An applicant for an RPC Instructor Rating (A) shall hold an RPC (A) licence.

(2) An applicant for an RPC Instructor Rating (MR) shall hold an RPC (MR) licence.

(3) An applicant for an RPC Instructor Rating (H) shall hold an RPC (H) licence.

Application for RPC Instructor Rating

71.03.2 (1) An application for an RPC instructor rating shall−

(a) be submitted to the Director within 30 days of completing a skills test; and

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

(2) An applicant for an RPC instructor rating shall—

(a) complete a theoretical knowledge course and a practical training course at an ATO approved to conduct training in terms of this Part; and

(b) if an applicant holds or has held an instructor rating in terms of Part 61, be credited for certain modules of the course as approved by the Director in the training and procedures manual.

(3) A theoretical knowledge and practical training syllabi for an RPC instructor rating shall be as prescribed in Document SA-CATS 71.

(4) The Director shall issue an RPC instructor rating as a multirotor, helicopter, or aeroplane instructor if an applicant complies with the requirements as set out in this Subpart.

Ground Evaluation and Skills test for initial RPC Instructor Rating

71.03.3 (1) A skills test for initial RPC instructor rating for UAS category as a multirotor, helicopter, or aeroplane in which an instructor rating is sought shall be conducted by a DUE.

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(2) Where an RPC instructor rating is sought in more than one category of UAS, a separate ground evaluation and skills test shall be conducted for each category sought.

(3) An applicant for an RPC instructor rating ground evaluation and skills test, shall provide a DUE with a letter of recommendation issued by an ATO indicating that such applicant —

(a) has satisfactorily completed 10 hours of ground lectures at an approved ATO; and

(b) is deemed competent to undertake ground evaluation and skills test.

(4) A letter of recommendation referred to in subregulation (3) shall be signed by a Chief UAS Instructor or a person designated by such instructor.

(5) A ground evaluation part of an initial RPC instructor rating test shall comprise of a mock class teaching evaluation and a presentation a full briefing on a subject that was given in advance to an applicant for RPC instructor rating, by a DUE.

(6) An applicant for RPC instructor rating shall proceed to do an RPC Instructor skills test upon successful completion of a ground evaluation.

(7) Where an initial RPC instructor rating test is unsuccessful, an applicant shall undergo a remedial training at an approved ATO.

(8) Upon completion of a remedial training referred to in subregulation (7), an ATO concerned shall issue an applicant with a letter of recommendation indicating that such applicant—

(a) has satisfactorily completed 10 hours of ground lectures at an approved ATO; and

(b) is deemed competent to undertake a ground evaluation and a skills test.

Validity and limitations of RPC Instructor Rating

71.03.4(1) A holder of a valid RPC instructor rating may exercise the privileges of an RPC flight instructor, as endorsed in an RPC.

(2) An RPC instructor rating shall be valid for a period of 24 months from—

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(a) the date of issuance or reissuance;

(b) the beginning of the month following the date of—

(i) expiry of a flight instructor rating if such rating is revalidated within 90 days prior to expiry; or

(ii) revalidation of such rating if revalidated prior to a period referred to in subparagraph (i).

(3) If an RPC instructor rating has lapsed by no more than 36 months from the date of expiry of such rating, an RPC instructor rating holder may apply to the Director for reissuance if such holder has passed a revalidation check with a DUE within 30 days prior to submission of such application.

(4) If an RPC instructor rating has lapsed by a period exceeding 36 months from the date of expiry of a rating, an RPC instructor rating holder may apply to the Director for reissuance provided that such RPC instructor rating holder—

(a) has undergone ground and flight training at an ATO to meet the standard required for revalidation check of an RPC instructor; and

(b) has passed a revalidation check with a DUE, within 30 days prior to submission of an application for revalidation of a rating.

(5) An application for reissuance in terms of subregulation (3) shall be submitted to the Director—

(a) within 30 days of completion of a revalidation check; and

(b) with the applicable fee as prescribed in Part 187.

(6) If an RPC Instructor Rating holder fails to maintain the minimum standard required to exercise the relevant privileges, a DUE shall—

(a) inform such holder of such failure with immediate effect and not to exercise the privileges of an RPC instructor rating until such time the requirements for revalidation or reissuance of a rating is met; and

(b) immediately report to the Director in writing.

SUBPART 4: DESIGNATION OF DUE

Designation as DUE by Director

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71.04.1(1) The Director may, in writing, designate a person as a DUE in one or more of the following categories:

(a) DUE (A);

(b) DUE (MR); or

(c) DUE (H);

(2) A reference to DUE in terms of this Subpart shall include any of the categories of a DUE referred to in subregulation (1).

(3) The Director may designate a DUE in more than one of the UAS categories referred to in subregulation (1), provided that such DUE meets the qualification and experience requirements provided in this Subpart for each of the categories.

Requirements for designation as DUE

71.04.2 (1) An applicant for designation as a DUE shall -

(a) have completed the required mentoring by a qualified DUE which shall consist of the following:

(i) at least two mock skills tests;

(ii) revalidation checks;

(iii) ground evaluation;

(iv) pre-flight briefing;

(v) in-flight evaluation; and

(vi) de-briefing, as prescribed in Document SA-CATS 71;

(b) have passed an initial DUE practical evaluation conducted by the Authority, as prescribed in Document SA-CATS 71; and

(c) pay the applicable fee prescribed in Part 187.

(2) An applicant for designation as DUE shall -

(a) hold a valid RPC related to the relevant category;

(b) hold a valid RPC instructor rating; and

(c) have logged on a UAS, at an UASOC or ATO, no less than 50 hours instruction flight time per category and 100 hours total time as a UAS pilot.

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Application for initial designation as DUE

71.04.3 (1) An application for designation as DUE shall be submitted to the Director within 60 days of having complied with the requirements as provided in regulation 71.04.2.

(2) An application referred to in subregulation (1) shall be in a prescribed form accompanied by—

(a) a signed code of conduct;

(b) certified copy of two most recent pages of an applicant's flying logbook, including an hour summary indicating compliance with the hour-requirements for a designation sought;

(c) report indicating successful completion of two mock tests or checks, signed by an approved DRE as specified in this Subpart;

(d) report indicating a pass in initial DRE theoretical knowledge examinations conducted by the Authority; and

(e) proof of payment of the applicable fee, as prescribed in Part 187.

(3) An application that contains false or misleading information, including in any supporting documentation shall be disqualified.

(4) If any false or misleading information comes to the attention of the Director subsequent to the approval for a DUE designation, the Director may withdraw a designation in writing.

(5) The Director may institute criminal proceedings in terms of Part 185 where an applicant is suspected or found to have falsified information.

Validity Period of DUE designation

71.04.4 (1) If the Director approves a designation as DUE, the Director may endorse an RPC with such designation.

(2) If a designation is endorsed in an RPC more than six calendar months prior to an RPC instructor rating expiry date, a designation as a DUE shall run concurrent with the validity period of an RPC instructor rating.

(3) If a designation is endorsed in an RPC less than six calendar months prior to an instructor rating expiry date, a designation shall be valid until an RPC instructor rating expiry date of the following year.

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Re-designation

71.04.5 (1) An application for re-designation shall be made to the Director in the prescribed form, within two calendar months preceding the expiry date of an applicant's instructor rating competency.

(2) Submission of an application in terms of subregulation (1) does not automatically entitle an applicant to continue to exercise the privilege of a DUE after the expiry date.

(3) The Director may re-designate a DUE if a DUE has undergone a satisfactory oversight conducted by the Authority within the four calendar months from the submission cut-off date to an instructor rating expiry date.

(4) An application referred to in subregulation (1) shall be accompanied by—

(a) a report of the oversight conducted in terms of subregulation (2);

(b) a signed code of conduct; and

(c) proof of payment of the appropriate fee, as prescribed in Part 187.

(5) A DUE shall attend periodic recurrent standardisation workshops as deemed necessary by the Director and as published on the Authority's website.

(6) The list of names and contact details of a DUE shall be placed on the Authority's website.

(7) If a DUE designation expires, a holder of such designation shall not exercise the privileges of a DUE until he or she has been re-designated as follows:

(a) if a designation has expired for less than 12 months, a DUE shall comply with the requirements contained in subregulations (2) and (3); and

(b) if a designation has expired for more than 12 months, an applicant shall comply with the requirements for an initial designation.

Suspension or withdrawal of Designation

71.04.6 (1) If a DUE fails to comply with the code of conduct or has falsified information during an application, the Director may suspend or withdraw a designation and effect enforcement procedures provided for in Part 185, as

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deemed necessary.

(2) If a DUE is under investigation or is subject to an enforcement action in terms of Part 185, a DUE designation shall be suspended for a time as determined by the Director.

(3) In case of an unsuccessful oversight, a designation shall be suspended until a DUE has complied with the procedures prescribed in Document SA-CATS 71.

(4) If a DUE is suspected of having conducted tests or checks to an undesirable standard, the Director may conduct more than one oversight annually on such DUE.

Privileges and limitations of DUE

71.04.7 (1) Notwithstanding the privileges provided to a DUE, the Director may place a restriction on a designation based on a holder's recency in the applicable category and such restriction shall be endorsed on an RPC.

(2) A designated DUE who is a holder of–

(a) a multirotor designation may not conduct a test or a check for a holder of an aeroplane or helicopter RPC;

(b) an aeroplane designation may not conduct a test or a check for a holder of a multirotor or helicopter RPC; and

(c) a helicopter designation may not conduct a test or a check for a holder of a multirotor or aeroplane RPC.

(3) A designated DUE may exercise the privileges of a designation, provided that–

(a) an RPC for which a designation is based and an RPC instructor rating remain valid;

(b) in the case of a skills test, a DUE shall hold the category of RPC pertaining to a UAS on which the skills test is conducted, and shall be qualified as RPC instructor for a particular RPC category in which a skills test is conducted;

(c) in the case of an initial BVLOS test or a revalidation test for a BVLOS rating, a DUE shall hold a BVLOS rating; and

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(d) in the case of an initial RPC instructor test or revalidation check for an RPC instructor rating, a DUE shall hold the category of RPC pertaining to an aircraft on which an initial test or revalidation check was conducted.

(4) A DUE may be qualified as RPC flight instructor for a particular category of UAS on which an initial test or revalidation check was conducted.

(5) A DUE may conduct a maximum of six tests, in terms of this Part, within a period of 24 hours, provided that such tests are done in compliance with applicable flight and duty requirements.

Register of DUEs

71.04.8 (1) The Director shall keep a register of DUEs.

(2) A register referred to in subregulation (1) shall contain the following:

(a) name of DUE;

(b) category and privileges of a designation or approval; and

(c) expiry date.".

Amendment of Part 91 of the Regulations

8. Part 91 of the Regulations is hereby amended by:

(a) The substitution for the List of Regulations of the following List of Regulations:

"SUBPART 1: GENERAL PROVISIONS

91.01.1	Applicability
91.01.2	Authority of PIC and crew members
91.01.3	Authorisation of personnel to taxi aeroplanes
91.01.4	Search and rescue information
91.01.5	Information on emergency and survival equipment
91.01.6	Method of carriage of persons
91.01.7	Admission to flight deck
91.01.8	Unauthorised carriage
91.01.9	Portable electronic devices
91.01.10	Endangering safety

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91.01.11	Preservation of documents and records
91.01.12	Use of time
91.01.13	Additional flight crew member equipment
91.01.14	Carriage of dangerous goods
91.01.15	Passenger intoxication and unruly behaviour
91.01.16	Psychoactive substances
91.01.17	Specific Approval”;

(b) the insertion after regulation 91.01.16 of the following regulation:

“**Specific approval**

91.01.17 (1) A PIC shall not conduct operations for which a specific approval is required unless such approval has been granted by the Director.

(2) A specific approval referred to in subregulation (1) shall be recorded in an OpSpec or any document determined by the Director.

(3) When issuing a specific approval for operational credits, the Director shall be satisfied that—

(a) an aircraft meets appropriate airworthiness certification requirements;

(b) information necessary to support effective crew tasks for an operation can be made available to a PIC and first officer if more than one crew member is required; and

(c) an owner of an aircraft or an air service operator has—

(i) carried out a safety risk assessment of an operation supported by such equipment;

(ii) established and documented normal and abnormal procedures and has an appropriately approved MEL;

(iii) established a training programme for flight crew members and relevant personnel involved in flight preparation;

(iv) established a system for data collection, evaluation, and trend monitoring for low visibility operation for which there is an operational credit; and

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(v) instituted appropriate procedures with respect to continuing airworthiness maintenance and repair practices and programmes.

(4) The Director shall establish criteria for the safe operation of an aircraft which operates with operational credit with minima above those related to LVOs.

(5) The Director may issue a specific approval for instrument approach operations in low visibility which shall only be conducted when RVR information is provided.

(6) For take-off in low visibility, the Director may issue a specific approval for minimum take-off RVR.";

(c) the substitution for regulation 91.04.30 of the following regulation:

"**91.04.30** (1) **[Within six months from the commencement of these regulations, a]** A turbine-engine aeroplane of a maximum certificated take-off mass in excess of 5 700 kg or authorised to carry more than nine passengers operating according to the IFR shall be equipped with a TAWS which has a **[predictive]** forward-looking terrain avoidance function that meets the requirements specified in Document SA-CATS 91.

(2) A turbine-engine aeroplane of a maximum certificated take-off mass of 5 700kg or less and authorised to carry more than five, but not more than nine passengers, shall be equipped with—

(a) a ground proximity warning system which provides warnings of—

(i) excessive descent rate; and

(ii) excessive altitude loss after take-off or go-around; and

(b) a warning of unsafe terrain clearance and a forward-looking terrain avoidance function.

(3) Except as provided in subregulation (4), each TAWS required by subregulation (1) shall be functioning properly prior to flight.

(4) An aircraft may be operated without a functioning TAWS—

(*a*) as provided for in an approved MEL; or

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(*b*) if repairs cannot be effected at **[the]** an aerodrome last operated into, **[the]** an aircraft is flown by **[the]** a most direct routing to **[the]** a nearest facility where the repairs can be made.

(5) A TAWS shall automatically provide a timely and distinctive warning to the flight crew when **[the]** an aeroplane is in potentially hazardous proximity to the earth's surface.";

(d) the substitution for 91.06.21 of the following regulation:

"**91.06.21** (1) **[Every]** VFR **[flight]** flight shall be **[so]** conducted to enable **[that the]** an aircraft that is flown in conditions of visibility and distance from clouds equal to or greater than those specified in Tables 1 and 2: **[with visual reference to the surface by day and to identifiable objects by night and at no time above more than three eighths of cloud within a radius of 5 NM of such aircraft and—]**

[(*a*) in the case of aircraft excluding helicopters operating under conditions of visibility and distance from cloud equal to, or greater than, the conditions specified in tables 1 and 2—]

Table 1

Airspace	**Flight visibility**	**Distance from clouds**	**Ground visibility and ceiling**
Control zones	Five km	Horizontally: **[600 meters]** 1500 metres Vertically: **[500 ft]** 1000 ft	No aircraft shall take-off from, land at, or approach to land at an aerodrome or fly within the control zone when the ground visibility at the aerodrome concerned is either less than 5 km or the ceiling is less than 1 500 ft.
Within an aerodrome traffic zone (which does not also comprise a control zone or part of a control zone)	Five km	Horizontally: **[600 meters]** 1500 metres Vertically: **[500 ft]** 1000 ft	No aircraft shall take-off from, land at or approach to land at an aerodrome or fly within the aerodrome traffic zone when the ground visibility within such aerodrome traffic zone is either less than 5 km or the ceiling is less than 1 500 ft.

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Note: When the height of the transition altitude is lower than 3 050 m (10 000 ft) AMSL, FL 100 should be used in lieu of 10 000 ft.

Table 2
In Airspaces other than those specified in Table 1

Airspace class	Altitude band	Flight visibility	Distance from cloud
C F G	At and above 10 000 feet above MSL	8 km	1 500 m horizontally 1 000 ft vertically
C F G	Below 10 000 feet AMSL and above 3 000 ft above MSL, or above 1 000 feet above terrain, whichever is the higher	5 km	1 500 m horizontally 1 000 ft vertically
C	At and below 3 000 feet above MSL, or 1 000 feet above terrain, whichever is the higher	5 km	1 500 m horizontally 1 000 ft vertically
F G		5 km	Clear of cloud and with the surface in sight

Note: When the height of the transition altitude is lower than 3 050 m (10 000 ft) AMSL, FL 100 should be used in lieu of 10 000 ft.

[Provided that the *minima* specified in Table 1 are not applicable when entering or leaving a CTR and the flight has received clearance from an ATSU to operate under Special VFR minima as referred to in regulation 91.06.22—

(i) entering or leaving a CTR and the flight has received clearance from an ATSU to operate under Special VFR *minima* as prescribed in regulation 91.06.22; or

(ii) entering or leaving an ATZ on a cross-country flight; and

(iii) a pilot in the aircraft maintains two-way radio communication with the aerodrome control tower or aerodrome flight information service unit, in which case the pilot may leave or enter the aerodrome traffic zone

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when the ground visibility is equal to or greater than 5 km and the ceiling is equal to or higher than 500 ft;

(*b*) in the case of helicopters, under conditions of visibility and distance from cloud equal to, or greater than, those conditions specified in Tables 3 and 4:

Table 3

Airspace	Flight visibility	Distance from clouds	Ground visibility and ceiling
Control zones	5 km	Horizontally: 300 m Vertically: Clear of cloud	Except when operating under a SVFR clearance no helicopter shall take-off from, land at, or approach to land at an aerodrome or fly within the control zone when the ground visibility at the aerodrome concerned is less than 5 000 metres and the ceiling is less than 1 500 ft
Within an aerodrome traffic zone (which does not also comprise a control zone or part of a control zone)	5 km	Horizontally: 300 m Vertically: Clear of cloud	No helicopter shall take-off from, land at, or approach to land at an aerodrome or fly within the aerodrome traffic zone when the ground visibility at the aerodrome concerned is less than 5 000 metres and the ceiling is less than 1 500 ft

Table 4
In Airspaces other than those specified in Table 3

Airspace class	Altitude band	Flight visibility	Distance from cloud
C F G	At and above 10 000 feet above MSL	8 km	1 500 m horizontally 1 000 ft vertically
C F G	Below 10 000 ft AMSL and above 3 000 feet above MSL, or above 1 000 feet above terrain, whichever is the higher	5 km	1 500 m horizontally 1 000 ft vertically
C	At and below 3 000 feet above MSL, or 1 000 feet above terrain, whichever is the higher	2 500 m	1 500 m horizontally 1 000 ft vertically

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F G		**1 500 m unless in accordance with (iii) below**	**Clear of cloud and with the surface in sight]**

(1A) The flight visibility *minima for* VFR operation specified in Table 1 relating to an aeroplane when prescribed by an appropriate ATS authority, and at the discretion of an ATC, may be reduced for a flight operating—

(a) at speeds that, in the prevailing visibility, will give adequate opportunity to observe other traffic or any obstacles in time to avoid collision; or

(b) in circumstances where a probability of encounters with other traffic would normally be low, such as in low-volume traffic areas and for low-volume aerial work at low levels.

(1B) The flight visibility *minima* specified in Table 1 in relation to a helicopter, when prescribed by an appropriate ATS authority and at the discretion of an ATC, may be reduced to less than 1 500m, but not less than 800m, with a ceiling of not less than 600ft, provided that all flights are conducted—

(a) if manoeuvred at a speed that will give adequate opportunity to observe other traffic or any obstacles in time to avoid collision;

(b) proof of being allocated an RTF call sign and 3 or 2 letter aircraft designators issued in terms of Part 176 is provided; and

(c) in terms of Parts 93, 96, 127,128, 137, and 138 operation; or

(d) as approved by the Director.

Provided that—

(i) the limitations as contained in Table **[3]** 1 shall not prevent a helicopter from conducting hover-in-ground-effect or hover-taxi operations within the confines of a controlled aerodrome, if the visibility is not less than 100 m;

(ii) the *minima* specified in Table **[3]** 1 are not applicable when a helicopter is entering or leaving a CTR and such flight has received clearance from an ATSU to operate under Special VFR *minima* as prescribed in regulation 91.06.22. **[; and]**

(iii) helicopters shall be permitted to operate in less than 1 500 m flight visibility outside of controlled airspace, if manoeuvred at a speed

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that will give adequate opportunity to observe other traffic or any obstacles in time to avoid collision.

(2) VFR flight is not permitted—

(a) at transonic or supersonic speed; or

(b) **[in Class A airspace]** above FL200.";

(e) the substitution for regulation 91.07.7 of the following regulation:

"**91.07.7** (1) **[The]** An owner or operator of an aircraft shall select destination or alternate aerodromes in accordance with regulation 91.07.5 when planning a flight.

(2) **[The]** An owner or an operator of an aircraft shall select a departure, destination, or alternate aerodrome only when the serviceability status of **[the]** an aerodrome permits a safe operation of the type of aircraft concerned.

(3) A take-off alternate aerodrome shall be selected and specified in **[the]** an operational and ATS filed flight plan, and, if applicable, in a preliminary flight plan, **[as prescribed by regulation 91.03.4]**, if the meteorological conditions at **[the]** an aerodrome of departure are at or below the applicable aerodrome operating minima, or it would not be possible to return to **[the]** an aerodrome of departure for other reasons.

(4) **[The]** A take-off alternate aerodrome referred to in subregulation (3), shall be located within **[the following time from the aerodrome of departure]**—

(a) twenty (20) minutes flying time from **[the]** a departure aerodrome in the case of a single engine **[aeroplanes**] aeroplane;

(b) for **[aeroplanes**] an aeroplane with two engines, one hour flight time from a departure aerodromme at **[the]** a one-engine inoperative cruising speed, determined from **[the]** an aircraft flight manual, referred to in regulation 91.03.2, calculated in International Standard Atmosphere **[(ISA)]** and still-air standard conditions, using **[the]** an actual take-off mass;

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(c) for **[aeroplanes]** an aeroplane with three or more engines, two hours of flight time from a departure aerodrome at an all-engine cruising speed, determined from **[the]** an aircraft flight manual, calculated in International Standard Atmosphere **[ISA]** and still-air conditions, using the actual take-off mass;

(d) for **[aeroplanes**] an aeroplane engaged in **[extended diversion time operations (EDTO)]** EDTO, where an alternate aerodrome meeting **[the]** a distance criteria of **[subregulation]** subparagraph (b) or (c) is not available, **[the first available alternate aerodrome within the]** a distance of **[the]** an aerodrome operator's approved maximum diversion time, using **[the]** an actual take-off mass; and

(4A) For an aerodrome to be selected as a take-off alternate, the available information shall indicate that at an estimated time of use, the conditions will be at or above an aerodrome operator's established aerodrome operating minima for that operation –

provided that, if an AFM, referred to in regulation 91.03.2, does not contain a one-engine inoperative cruising speed, as referred to in subregulation (4) a speed to be used for calculation shall be a speed which is achieved with a remaining engine or engines set at maximum continuous power.

(4B) An en-route alternate aerodromes, required in terms of subregulation (4) for extended diversion time operation by an aeroplane with two turbine engines, shall be selected and specified in an ATS filed flight plans, and, if applicable, in a preliminary flight plan.

(5) **[The owner or operator]** A PIC of a helicopter shall select at least one destination alternate aerodrome for each IFR flight, unless the meteorological conditions prevailing are such that, for **[the]** a period from one hour before until one hour after **[the]** an expected time of arrival at **[the]** a destination aerodrome, the approach from **[the]** a minimum sector safe altitude and landing can be made in VMC.

(6) For a flight to be conducted in accordance with instrument flight rules,

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[the operator] a PIC of an aeroplane shall select at least one destination alternate aerodrome which shall be specified in the **[ATS Flight plan]** operational and filed ATS flight plans, and, if applicable, in a preliminary flight plan, unless—

(a) the duration of **[the]** a flight from **[the]** a departure aerodrome, or from **[the]** a point of in-flight re-planning to **[the]** a destination aerodrome is such that, taking into account all meteorological conditions and operational information relevant to **[the]** a flight, at **[the]** an estimated time of use, a reasonable certainty exists that—

(i) **[the]** an approach and landing may be made under **[visual meteorological conditions]** VMC; and

(ii) separate runways are usable at **[the]** an estimated time of use of **[the]** a destination aerodrome with at least one runway having an operational instrument approach procedure; or

(b) **[the]** an aerodrome is isolated. **[Operations into isolated aerodromes do not require the]** Operation into an isolated aerodrome does not require a selection of a destination alternate **[aerodrome(s)]** aerodrome and shall be planned in accordance with **[subregulation 91.07.12(3)(d)]** regulation 91.07.12 and—

(i) **[for each flight into an isolated aerodrome]** a point of no return shall be determined for each flight into an isolated aerodromme; and

(ii) a flight to be conducted to an isolated aerodrome shall not be continued past **[the]** a point of no return unless a current assessment of meteorological conditions, traffic and other operational conditions indicate that a safe landing can be made at **[the]** an estimated time of use.

Note: *Separate runways are two or more runways at the same aerodrome configured such that if one runway is closed, operations to the other **[runway(s)]** can be conducted*.

(7) Except as provided in subregulations (10) and (13), when planning a

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flight, **[the operator]** a PIC shall only select an aerodrome as a destination or alternate aerodrome if the appropriate weather reports or forecasts, or a combination thereof, are at or above the applicable planning minima for a period of one hour before to one hour after the estimated time of arrival of **[the]** an aircraft at **[the]** an aerodrome.

(8) **[The operator]** A PIC of a helicopter shall select at least one destination alternate aerodrome for each IFR flight unless—

(a) available current meteorological information indicates that the following meteorological conditions will exist from two hours before to two hours after the estimated time of arrival, or from the actual time of departure to two hours after the estimated time of arrival, whichever is **[the]** a shorter period—

(i) a cloud base of at least 400 ft above the minimum associated with **[the]** an instrument approach procedure; and

(ii) visibility of at least 1.5 km more than the minimum associated with the procedure; or

(b) **[the]** a heliport of intended landing is isolated and no suitable alternate is available and—

(i) an instrument approach procedure is prescribed for **[the]** such isolated heliport **[of intended landing]**; and

(ii) a **[point of no return (PNR)]** PNR is determined in the case of an offshore destination.

(9) Suitable offshore alternates for **[helicopters]** a helicopter may be specified subject to the following:

(a) **[the offshore alternates]** an offshore alternate shall be used only after passing a PNR. Prior to a PNR, onshore alternates shall be used;

(b) mechanical reliability of critical control systems and critical components shall be considered and taken into account when determining the suitability of **[the]** an alternate;

(c) one-engine inoperative performance capability shall be attainable prior to arrival at **[the]** an alternate;

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(d) to the extent possible, deck availability shall be guaranteed; and

(e) weather information must be reliable and accurate.

(10) Two destination alternate aerodromes shall be selected and specified in **[the]** an operational and ATS filed flight plans and, if applicable, in a preliminary flight plan when at **[the]** a destination aerodrome—

(a) the meteorological conditions at the estimated time of use will be below **[the]** an operator's established aerodrome operating minima for that operator; or

(b) meteorological information is not available.

(11) **[The]** An owner or operator of an aircraft shall specify **[the]** a destination alternate aerodrome, if required, in **[the]** an ATS flight plan referred to in regulation 91.03.3.

(12) **[The]** An owner or operator of an aircraft shall specify en-route alternate aerodromes for extended-range operations with a twin-engine **[aeroplanes]** aeroplane and shall specify such en-route alternate aerodromes in **[the]** an ATS flight plan referred to in regulation 91.03.4.

(13) In addition to the provisions of subregulation (10), a PIC may conduct a flight in accordance with IFR to a destination for which there is no aviation weather report or forecast available: Provided the requirements specified in Document SA-CATS 91 are met.

(14) Notwithstanding the provisions in subregulations **[91.07.7]** (3), **[91.07.7]** (6), and **[91.07.7]** (8); the Director may, based on the results of a specific safety risk assessment conducted by an owner or operator of an aircraft which demonstrate how an equivalent level of safety will be maintained approve operational variations to alternate aerodrome selection criteria. The specific safety risk assessment shall include at least the—

(a) capabilities of **[the pilot-in-command]** a PIC or operator of an aircraft;

(b) overall capability of **[the]** an aeroplane and its systems;

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(c) available aerodrome technologies, capabilities and infrastructure;

(d) quality and reliability of meteorological information;

(e) identified hazards and safety risks associated with each alternate aerodrome variation; and

(f) specific mitigation measures.";

(f) the insertion in regulation 91.10.2 after subregulation (4) of the following subregulation:

"(5) An aeroplane operator shall engage with the Authority as soon as possible in cases where an aeroplane operator falls within the scope of regulation 91.10.1 for the first time after 1 January 2021, without qualifying as a new entrant near the end of a year, or at the beginning of year y+1.";

(g) the insertion in regulation 91.10.5 after subregulation (2) of the following subregulations:

"(3) An aeroplane operator who falls within the scope of applicability of regulations 91.10.1 after 1 January 2021 for the first time and without qualifying as a new entrant, may either use–

(a) a Fuel Use Monitoring Method, as prescribed in Document SA-CATS 91, or

(b) the ICAO CORSIA CO_2 Estimation and Reporting Tool (CERT), as provided in Appendix 3.

(4) If an aeroplane operator referred to in subregulation (3) does not have sufficient information to utilise a Fuel Use Monitoring Method, as prescribed in Document SA-CATS 91, such aeroplane operator shall request an attributed State to approve the use of the ICAO CORSIA CO_2 Estimation and Reporting Tool (CERT) for a period lasting no later than 30 June in the year after an aeroplane operator first meets the requirements in regulations 91.10.1 (year y+1).";

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(h) the insertion in regulation 91.10.7 after subregulation (3) of the following subregulations:

"(4) An aeroplane operator that falls within the scope of regulation 91.10.1 after 1 January 2021 for the first time without qualifying as a new entrant, shall, within three months of falling within the scope of applicability of regulation 91.10.1, submit an EMP for approval to the Authority in accordance with Document SA-CATS 91.

(5) An aeroplane operator referred to in subregulation (4) shall engage with the Authority as soon as possible in cases where an aeroplane operator falls within the scope of regulation 91.10.1 after 1 January 2021 near the end of year y, or at the beginning of year y+1.";

(i) the substitution in regulation 91.10.8 for subregulation (2) of the following subregulation:

"(2) An aeroplane operator using a fuel use monitoring method shall determine CO_2 emissions from international flights, using the following equation —

$$CO_2 = \sum_f M_f * FCF_f$$

Where:

CO_2 = CO_2 emissions (*in tonnes*)*;*

M_f = Mass of fuel f used (*in tonnes*)*; and*

FCF_f = Fuel conversion factor of given fuel f, equal to 3.16 (*in kg CO_2/kg fuel*) *for Jet-A fuel, Jet-AI fuel, TS-1 fuel, or No.3 Jet fuel and 3.10* (*in kg CO_2/kg fuel*) *for AvGas or Jet-B fuel.".*

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(j) the substitution for regulation 91.10.15 of the following regulation:

"(1) The offsetting requirements of CORSIA shall—

(a) be applicable from January 2021 to 31 December 2035, to an aeroplane operator referred to in regulation 91.10.1, whose international flights are between the Republic and States defined in Document SA-CATS 91.

(b) not be applicable to a new entrant aeroplane operator—

(i) for three years starting from the year when such operator meets the requirements of regulation 91.10.1; **[or]**

(ii) until the annual CO_2 emissions exceed 0.1 percent of its total CO_2 emissions from international flights in 2020, whichever occurs first **[.]**; or

(iii) the information on the total CO_2 emissions in 2019 from the ICAO documents entitled "CORSIA 2020 Emissions'' shall be used and produced in accordance with the timeline prescribed in Document SA-CATS 91.";

(2) Methods of calculation of emissions for offsetting requirements shall be as prescribed in Document SA-CATS 91.

(3) The Authority shall calculate **[the]** an annual aeroplane operator's final CO2 offsetting requirement, based on the data reported in accordance with Chapter 2 of the CORSIA Methodology for Calculating Actual Life Cycle Emissions Values and the applicability requirements as prescribed in Document SA-CATS 91.

(3) When an aeroplane operator does not have CO_2 emissions as applicable under regulation 91.10.1 and does not qualify as a new entrant, the Authority shall use a value of 10 000 tonnes of CO_2 as an OEB, y.

(4) If the sum of an aeroplane operator's offsetting requirements in the three years of a given compliance period (OR1, C + OR2, C + OR3, C) is less

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than 3 000 tonnes of CO_2 then an aeroplane operator shall have no offsetting requirements for a compliance period.".

Amendment of Part 92 of the Regulations

9. Part 92 of the Regulations is hereby amended by:

(a) the substitution for regulation 92.01.3 of the following regulation:

"Commissioner's discretionary powers

92.01.3 (1) Notwithstanding the provisions of regulation 92.01.2, the Commissioner **[after having considered that special circumstances exist that warrants conveyance of dangerous goods,]** may consider a request to allow the conveyance of dangerous goods in instances—

(*a*) of extreme urgency;

(*b*) where other forms of conveyance are inappropriate; or

(c) where full compliance with the provisions of this Part may be contrary to public interest; and**[.]**

(d) special circumstances exist that warrants conveyance of dangerous goods.

(2) The Commissioner shall in considering a request for the conveyance of dangerous goods as contemplated in subregulation (1), satisfy himself or herself that during such conveyance, acceptable level of safety which is equivalent to the level of safety as prescribed in Document SA-CATS 92 shall be effected under all circumstances.

(3) Notwithstanding the provisions of regulation 92.01.2, a person may request the Commissioner for conveyance of dangerous good in terms of this Part—

(a) in instances where in terms of Document SA-CATS 92 forbidden dangerous goods may be carried, with the Commissioner's approval, on passenger or on cargo aircraft; or

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(b) for any other purposes prevailing as prescribed in Document SA-CATS 92.

(4) For instances where the Republic is a State of overflight and none of the criteria for granting authorisation are relevant, the Commissioner's discretionary powers to grant approval for conveyance of dangerous goods in terms of subsection (1) may be granted solely on whether an equivalent level of safety in air transport has been achieved.";

(b) the insertion in regulation 92.01.6 after subregulation (1) of the following subregulation:

"(2) For safety reasons, movement of dangerous goods which are consigned from another contracting State shall be facilitated in accordance with the latest applicable Technical Instructions.";

(c) the substitution in regulation 92.01.41 for subregulation (3) of the following subregulation:

"(3) An air service operator **[that does not have approval to carry Dangerous Goods as cargo]** shall, in order to assist a PIC and cabin crew to manage onboard emergencies resulting from dangerous goods carried onboard, provide a PIC and cabin crew, prior to departure, with information contained in the documents prescribed in Document SA-CATS 92.".

Amendment of Part 93 of the Regulations

10. Part 93 of the regulations is hereby amended by:

(a) the substitution for regulation 93.06.2 of the following regulation:

"**93.06.2** (1) A CAOC shall be valid for a period determined by the Director and such a period shall not exceed five years, calculated from the date it is issued, provided that it is not voluntarily surrendered to the Director or otherwise suspended or cancelled by the Director.

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(2) Unless otherwise specified by the Director, a holder of a CAOC shall be subject to a continuing surveillance programme and the CAOC shall remain valid and in force for a period not exceeding five years. Provided that a holder of a CAOC—

(a) submits to the Director, 90 days before the expiry date of an CAOC, an appropriate application for renewal and renewal fee as prescribed in Part 187;

(b) submits 60 days before the expiry date of OpSpec, an appropriate application for renewal and annual currency fee as prescribed in Part 187;

(c) has successfully resolved any finding made against such holder pursuant to audits and inspections carried out by the Authority; and

(d) continues to meet the requirements for issuance of a CAOC.

(3) Failure to comply with the provisions of subregulation (2), shall result in a holder of such an CAOC being ineligible to exercise the privileges of an CAOC.

(4) If a holder of a CAOC becomes ineligible to exercise the privileges as contemplated in subregulation (3), the Director shall notify a CAOC holder of the suspension in writing and such CAOC holder shall immediately surrender an CAOC and OpSpec to the Director.

(5) A CAOC remains valid provided that a CAOC is not voluntarily surrendered to the Director or otherwise suspended or cancelled by the Director.

(6) A CAOC shall not be transferable.

(7) A holder of a CAOC who fails to comply with the requirements as provided in subregulation (2) or whose certificate or OpSpec is surrendered or suspended, shall acknowledge the reasons in writing within 15 working days of receipt and shall immediately return such CAOC and OpSpec to the Director.

(8) An operation in terms of this Part may only be conducted by a holder of a current CAOC and OpSpec.

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(9) A CAOC and OpSpec issued in terms of this Part shall be issued at least 15 days before the expiry of the current CAOC and OpSpec.

(10) In case of delays in the approval of a CAOC or OpSpec in terms of subregulation (9), the Director may elect to issue a temporary certificate provided that there are no safety concerns and the application requirements are met.".

Amendment of Part 94 of the Regulations

11. Part 94 of the Regulations is hereby amended by:

(a) the substitution in regulation 94.01.2 for subregulation (3) paragraph (c) and (d) of the following paragraphs:

"(3) **[The]** A permission referred to in subregulation (2) shall normally be granted only—

(a) for a limited period of time;

(b) for the purpose of participation in international events within the Republic, for record-breaking purposes or demonstration flights, or at the discretion of the Director if an acceptable level of safety can be shown and public safety is not jeopardised;

(*c*) proof is submitted that **[for the aircraft]** an authority to fly or similar certificate for an aircraft was issued by **[the foreign civil aviation]** an appropriate authority or an organisation **[designated]** approved for the purpose by such appropriate authority; and

(*d*) if **[the]** an aircraft **[is made available for inspection]** has been inspected by a licensed AME or AMO or an **[Approved Person]** approved person with the relevant rating or approval, or by any other person **[designated]** approved for **[the]**such purpose by the Director, as soon as possible after its arrival in the Republic, and an inspection report has been submitted to the Director.";

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(b) the substitution in regulation 94.05.1 for subregulation (1) of the following subregulation:

"**94.05.1** (1) Unless granted permission by the Director **[or the organisation designated for the purpose in terms of Part 149, as the case may be, on a case-by-case basis],** a non-type certificated aircraft may not be flown—

(a) by night;

(b) in meteorological conditions less than those prescribed as suitable for flight under VFR;

(c) within controlled airspace, unless cleared by and on conditions prescribed by ATC; or

(d) within 5 NM from **[the aerodrome]** a reference point of an aerodrome, which is licensed or approved in terms of part 139 of these regulations and situated in Class G airspace, unless established unmanned aerodrome procedures for **[the]** that particular aerodrome can be adhered to; or

(e) unless unavoidable, over built up areas and open-air assemblies of persons except for the purpose of take-off, transit and landing.";

(c) the substitution for regulation 94.06.1 of the following regulation:

"94.06.1 (1) **[Any]** A person operating a non-type certificated aircraft for aviation recreational purposes or in air displays, shall comply with the standards and procedures determined by the Director **[organisation designated for the purpose in terms of Part 149, if any, and if applicable]**.

(2) **[Any]** A person operating a non-type certificated aircraft for sport or aviation recreational purposes **[shall be a *bona fide* member]** may conduct such operations under the auspices of an applicable aviation recreation organisation **[designated]** approved by the Director in terms of Part 149 and abide by its constitution and code of conduct, if any.

[(3) For the purposes of this subpart, and until such time that an organisation has been approved in terms of Part 149, any person operating

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a non-type certificated aircraft for aviation recreational purposes or in air displays, shall comply with the flight operation standards and procedures prescribed for its members by the national body representative of the particular aviation sport, provided that these standards and procedures include those prescribed in, and are not in conflict with, the provisions of this Part.]";

(d) the substitution in regulation 94.06.2 for subregulation (1) of the following subregulation:

"**94.06.2** (1) Notwithstanding the provisions of—

(*a*) regulation 91.03.2 and regulation 91.03.5, a person may operate a paraglider without carrying on board a current, approved flight manual or flight folio;

(*b*) regulation 91.03.7, a person may operate a paraglider without a certificate of release to service;

(*c*) subpart 4 of Part 91, a person may operate a paraglider if [**the]** such paraglider has been equipped with—

(i) a safety harness or safety belt for each person on board **[the paraglider]**;

(ii) in the case of **[flights]** a flight above 500 feet AGL, an altimeter that is accurate to [**within]** approximately 100 feet; and

(iii) in the case of flight over water beyond gliding distance from shore, one lifejacket or individual flotation device for each person on board, worn by such persons;

(*d*) regulation 91.06.7 (5), **[the PIC of]** a paraglider, overtaking another paraglider or hang-glider soaring on a ridge, shall pass on the ridge side of **[the]** an overtaken paraglider or hang-glider;

(*e*) regulation 91.06.21, a person may operate a paraglider to 500 feet vertically below cloud—

(i) up to a maximum altitude of 19 500 feet above MSL in class G airspace; and

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(ii) up to a maximum altitude of 19 500 feet above MSL in Class E airspace, other than transponder-mandatory airspace;

(*f*) regulation 91.07.2, **[the]** a PIC of a paraglider may fly **[the]** a paraglider below 500 feet AGL for the purpose of ridge soaring if such paraglider is flown in a manner that does not endanger persons or property on the ground;

(*g*) **[regulation 139.01.1 (2) (*b*), the pilot in-command]** regulation 139.01.1(2), a PIC of a paraglider may use any suitable area to launch **[the]** a paraglider: Provided that a permission has been obtained from **[the]** an owner of **[the]** a site or **[the]** a local authority having jurisdiction; and provided further that in the case of flight training or tandem operations, only **a** launch **[sites]** site approved by the Director **[or by the organisation designated for the purpose in terms of Part 149, as the case may be]**, shall be used.

"(2) **[Each]** A person on board a paraglider shall wear a **[serviceable, rigid,]** rigid and serviceable protective helmet of a type approved by the Director or by **[the]** an organisation **[designated]** approved for **[the]** such purpose in terms of Part 149.";

(e) the substitution in regulation 94.06.9 for subregulation (1) and subregulation (2) of the following subregulations:

"**94.06.9** (1) Notwithstanding the provisions of—

(*a*) regulation 91.03.2 and regulation 91.03.5, a person may operate a hang-glider without carrying on board a current, approved flight manual or flight folio;

(*b*) regulation 91.03.7, a person may operate a hang-glider without a certificate of release to service;

(*c*) subpart 4 of Part 91, a person may operate a hang-glider if **[the]** such hang-glider has been equipped with—

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(i) an approved safety harness or safety belt for each person on board **[the hang-glider]**;

(ii) in the case of **[flights]** a flight above 500 feet AGL, an altimeter that is accurate to **[within]** approximately 100 feet; and

(iii) in the case of flight over water, a life jacket that is actually worn by each person on board **[one lifejacket for each person on board and worn by such persons]**;

(*d*) regulation 91.06.7 (5), **[the]** a person operating a hang-glider may only overtake **[overtaking]** another hang-glider or a paraglider soaring on a ridge **[shall pass]** on the right hand side **[side of the overtaken hang-glider or paraglider]** of the overtaken hang-glider or paraglider;

(*e*) regulation 91.06.21, **[the]** a person may operate a hang-glider to 500 feet vertically below cloud—

(i) up to a maximum altitude of 19 500 feet above MSL in class G airspace; and

(ii) up to a maximum altitude of 19 500 feet above MSL in Class E airspace, other than transponder-mandatory airspace;

(*f*) regulation 91.06.32, a person may operate a hang-glider below 500 feet AGL for the purpose of ridge soaring: Provided such hang-glider is flown in a manner that does not endanger **[persons]** a person or property on the surface;

(*g*) **[regulation 139.01.1 (2) (*b*),the pilot in-command]** regulation 139.01.1(2), a PIC of a hang-glider may use any suitable area to launch **[the]** a hang-glider: Provided that permission has been obtained from **[the]** an owner of the site or [**the]** a local authority having jurisdiction**[;]**, and **[Provided]** provided furthermore that in the case of flight training or tandem operations, only a launch site **[launch sites]** approved by the Director or by **[the]** an organisation **[designated]** approved for **[the]** such purpose in terms of Part 149, as the case may be, shall be used.";

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"(2) **[Each]** A pilot and a passenger of a hang-glider shall wear a rigid and serviceable **[serviceable, rigid,]** protective helmet of a type approved by the Director or by **[the]** an organisation **[designated]** approved for the purpose in terms of Part 149.";

(f) the substitution for regulation 94.06.14 of the following regulation:

"**94.06.14** (1) When a non-type certificated aircraft, classified in **[the]** paragraphs (*a*) to **[(*g*)]** (f) of regulation 24.01.1 (2), is to participate in a public flying demonstration, **[the]** a PIC of such aircraft shall be the holder of an appropriate Display Authorisation.

(2) **[The]** A Display Authorisation may be issued by the Director [**or by an organisation designated for the purpose in terms of Part 149, as the case may be, in writing if he, she or it]** if the Director is satisfied that—

(a) **[the]** a pilot has the required experience; and

(*b*) **[the]** a proposed display sequence can be executed safely with **[the]** a particular aircraft.

(3) **[The]** A Display Authority shall be issued on the prescribed form, and shall detail **[the]** an aircraft to be used, its configuration, **[the]** a sequence to be flown, and any other condition that may be imposed by the Director **[or by the organisation designated for the purpose in terms of Part 149, as the case may be, at his, her or its discretion]** in the interest of flight and public safety.

(4) The following information shall be submitted to the Director **[or the organisation designated for the purpose in terms of Part 149, as the case may be,]** when applying for a Display Authorisation—

(a) **[A]**a summary of **[the]** a pilot's total flying experience and details of experience on **[the]** a type of aircraft to be flown in **[the]** a display;

(*b*) **[A]**a detailed list of previous air display experience, **[to include]** including events, dates, duration, aircraft types, and sequences flown;

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(*c*) **[The]** details of **[the sequences]** a sequence for which Display Authorisation is sought, including—

(i) good weather sequence; and

(ii) bad weather sequence, where the weather conditions, such as cloud ceiling, impose a restriction on the good weather display sequence.

*Note: **[The sequences]** A sequence shall be submitted in textual and graphical form, with the minimum meteorological conditions for each sequence specified **[.]**;*

(*d*) **[The]**specific procedures to be followed for possible emergencies that may arise during **[the]** a display, including **[the]** listing of diversion aerodromes**[.]**; and

(*e*) Details of **[the]** aircraft in **[the]** configuration to be used in **[the]** a display, including take-off mass, take-off fuel, and landing fuel.

(5) **[The]** An application for a Display Authorisation shall be made in the form prescribed in Document SA-CATS 94.

(6) **[The]** An application for a Display Authorisation shall be accompanied by the appropriate fee prescribed in Part 187.".

Amendment of Part 96 of the Regulations

12. Part 96 of the Regulations is hereby amended by—

(a) the deletion in regulation 96.01.1 for subregulation (6);

(b) the substitution in the List of Regulations of the following List:

"SUBPART 4: OPERATING CERTIFICATE

96.04.1 Operating certificate
96.04.2 Application for operating certificate
96.04.3 Adjudication of application for operating certificate

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96.04.4 **[Period of validity of operating certificate]** Validity and status of operating certificate

96.04.5 Safety inspections and audits

96.04.6 Duties of holder of operating certificate

96.04.7 Register of operating certificates";

(c) the substitution for regulation 96.04.4 of the following regulation:

"**[Period of validity of operating certificate] Validity and status of operating certificate**

96.04.4 (1) An operating certificate shall be valid for a period determined by the Director, which period shall not exceed five years, calculated from the date it is issued, provided that it is not voluntarily surrendered to the Director or otherwise suspended or cancelled by the Director.

(2) Unless otherwise specified by the Director, a holder of an operating certificate shall be subject to a continuing surveillance programme and such operating certificate shall remain valid and in force for a period not exceeding five years. Provided that a holder of an operating certificate—

(a) submits to the Director, 90 days before the expiry date of the operating certificate, an appropriate application for renewal and renewal fee as prescribed in Part 187;

(b) submits, 60 days before the expiry of an OpSpec, an appropriate application for renewal and annual currency fee as prescribed in Part 187;

(c) has successfully resolved any finding made against such holder pursuant to audits and inspections carried out by the Authority; and

(d) continues to meet the requirements for the issuance of an operating certificate as prescribed in Document SA-CATS 96.

(3) Failure to comply with the provisions of subregulation (2), shall result in a holder of an operating certificate being ineligible to exercise the privileges of an operating certificate.

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(4) If a holder of an operating certificate becomes ineligible to exercise the privileges as referred to in subregulation (3), the Director shall notify such holder of the suspension of an operating certificate in writing, and such holder shall immediately surrender such operating certificate and OpSpec to the Director.

(5) An operating certificate is not transferable.

(6) A holder of an operating certificate who fails to comply with the requirements as provided in subregulation (2) or whose operating certificate or OpSpec is surrendered or suspended, shall acknowledge the reasons in writing within 15 working days of receipt and shall immediately return such operating certificate and OpSpec to the Director.

(7) An operation in terms of this Part may only be conducted by a holder of a current operating certificate and OpSpec.

(8) An operating certificate and OpSpec issued by the Director in terms of this Subpart shall be issued at least 15 days before expiry of such operating certificate or OpSpec.

(9) A renewed operating certificate and OpSpec to be issued in terms of this Part shall be issued at least 15 days before expiry of the current operating certificate or OpSpec

(10) In case of delays in the approval of an operating certificate or OpSpec in terms of subregulation (9), the Director may elect to issue a temporary certificate provided that there is no safety concern and the application requirements are met.".

Amendment of Part 101 of the regulations

13. Part 101 of the Regulations is hereby amended by—

(a) the substitution for regulation 101.01.2 of the following regulation:

"(1) Subject to subregulation (2), the provisions of—

(a) Subparts 2, 4 and 6 of this Part do not apply to private operation of a UAS; and

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(b) regulations 101.05.8, 101.05.10 (1) (b), (c) and (d) do not apply to private operation of a UAS.

(2) Private operations of a UAS shall be conducted only in R-VLOS with a Class 1A or 1B RPA.

(3) An operator of a UAS involved in private operation shall not convey dangerous goods on board a UA.";

(b) the substitution for the List of Regulations of the following List of Regulations:

"SUBPART 4: UAS OPERATING CERTIFICATE

101.04.1 General requirements
101.04.2 Application
101.04.3 Validity and status of UASOC
101.04.4 Duties of **[the]** holder of **[a]** UASOC
101.04.5 Operations manual
101.04.6 Documentation and records
101.04.7 Safety management
101.04.8 Security
101.04.9 Surveillance, safety and security audits and inspections
101.04.10 Register of operating certificates
101.04.11 Transferability
101.04.12 Liability insurance";

(c) the substitution for regulation 101.04.3 of the following regulation:

"**Validity and status of UASOC**

101.04.3 (1) A UASOC shall be valid for a period determined by the Director, and such period shall not exceed five years, calculated from the date it is issued provided that it is not voluntarily surrendered to the Director or otherwise suspended or cancelled by the Director.

(2) A holder of an UASOC shall be subject to a continuing surveillance programme and the UASOC shall remain valid provided that a holder of such UASOC—

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(a) submits, 90 days before a UASOC expiry date, an appropriate application for renewal and renewal fee as prescribed in Part 187;

(b) submits, 60 days before the expiry of an OpSpec, an appropriate application for renewal and annual currency fee as prescribed in Part 187;

(c) successfully resolves any finding made against such holder pursuant to audits and inspections carried out by the Authority; and;

(d) continues to meet the requirements for the issuance of a UASOC.

(3) Failure to comply with the provisions of subregulation (2), shall result in a holder of such a UASOC being ineligible to exercise the privileges of a UAS.

(4) If a holder of a UASOC becomes ineligible to exercise the privileges as referred to in subregulation (3), the Director shall notify such holder of the suspension of a UASOC in writing, and such holder shall immediately surrender such UASOC and OpSpec to the Director

(5) A UASOC is not transferable.

(6) A holder of an UASOC who fails to comply with the requirements as provided in subregulation (2) or whose certificate or OpSpec is surrendered or suspended, shall acknowledge the reasons in writing within 15 working days of receipt and shall immediately return such certificate and OpSpec to the Director.

(7) An operation in terms of this Part may only be conducted by a holder of a current UASOC and OpSpec

(8) A UASOC and OpSpec renewed in terms of this Part shall be issued at least 15 days before expiry of a current UASOC and OpSpec.

(9) In case of delays in the approval of a UASOC or OpSpec in terms of subregulation (8), the Director may elect to issue a temporary approval provided that there is no safety concern and the application requirements are met.".

Insertion of Part 106 of the Regulations

14. Part 106 of the Regulations is hereby inserted after Part 105 of the

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Regulations—

"SUBPART 1: HANG-GLIDER AND PARAGLIDER CERTIFICATE

106.01.1 Applicability

106.01.2 Authority to act as pilot

106.01.3 Category ratings

106.01.4 Hang-glider endorsements

106.01.5 Paraglider endorsements

106.01.6 Endorsements and ratings for instructor

106.01.7 Medical fitness

106.01.8 Logging of flight time and endorsements

106.01.9 Crediting of flight time and theoretical knowledge

106.01.10 Recognition and validation of foreign licence, certificate or authorisation by appropriate authority of another State

106.01.11 Register of foreign pilot recognition certificate

106.01.12 Aviation training provider

106.01.13 Requirements for learner

106.01.14 Privileges and limitations of a learner

106.01.15 Requirements for pilot certificate

106.01.16 Maintenance of competency

SUBPART 2: HANG-GLIDER

106.02.1 Hang-glider endorsement requirements

106.02.2 Privileges and limitations

106.02.3 Hang-glider conversion

SUBPART 3: PARAGLIDER

106.03.1 Paraglider endorsement requirements

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SUBPART 4: INSTRUCTOR RATING

106.04.1 Requirements for paraglider assistant flight instructor endorsement

106.04.2 Requirements for paraglider tandem flight instructor rating

106.04.3 Requirements for paraglider Grade B flight instructor rating

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106.04.4 Requirements for paraglider Grade A flight instructor rating
106.04.5 Requirements for hang-glider assistant flight instructor endorsement
106.04.6 Requirements for hang-glider Grade C flight instructor rating
106.04.7 Requirements for hang-glider Grade A and B flight instructor rating
106.04.8 Instructor privileges and limitations
106.04.9 Instructor conversion
106.04.10 Period of validity of flight instructor rating
106.04.11 Renewal of flight instructor rating

SUBPART 1: HANG-GLIDER AND PARAGLIDER CERTIFICATE

Applicability

106.01.1(1) This Part applies to–

(a) the issuance of paraglider and hang-glider pilot certificates, category ratings, and endorsements;

(b) the recognition and validation of a foreign licence or certificate issued by an appropriate authority of a foreign State, provided that a holder of such licence or certificate may only exercise the privileges of that licence or certificate; and

(c) the recognition of a person who holds an international pilot's proficiency identification recognised by the *Federation Aeronautiqué Internationale* for the purposes of *Federation Aeronautiqué Internationale* sanctioned events, or at an event conducted in terms of a manual of procedure approved by the Director.

Authority to act as pilot

106.01.2 (1) A person shall not act as a pilot of a hang-glider, paraglider, or powered parachute regulated under this Part, within the borders of the Republic or its territorial waters unless such person–

(a) holds a relevant valid pilot certificate and an endorsement issued in terms of this Part; or

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(b) undergoes training as a learner at an approved DTO, and under the auspices of an approved ARO for the purpose.

Category ratings

106.01.3 (1) For the purpose of this Part, category ratings are–

(a) hang-gliders; and

(b) paragliders.

Hang-glider endorsements

106.01.4 (1) A hang-glider endorsement issued in terms of this Part shall be as follows:

(a) novice endorsement;

(b) A endorsement;

(c) B endorsement;

(d) C endorsement;

(e) tandem endorsement;

(f) power endorsement;

(g) wheeled endorsement;

(h) hill endorsement;

(i) winch endorsement;

(j) aerotow endorsement; and

(k) display endorsement.

(2) A hang-glider pilot issued with a novice endorsement may only−

(a) fly on a basic rated site; and

(b) fly an entry level hang-glider or a hang-glider defined by a manufacturer as suitable for use by an entry level pilot.

(3) A hang-glider pilot issued with an A endorsement may only−

(a) fly on a basic rated site; and

(b) fly a basic rated hang-glider or a hang-glider defined by a manufacturer as suitable for use by an entry level pilot.

(4) A hang-glider pilot issued with a B endorsement may only−

(a) fly on a site that is basic or intermediate rated; and

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(b) fly a hang-glider defined by the manufacturer as suitable for the use of an intermediate level pilot.

(5) A hang-glider pilot issued with a C endorsement may fly on any site.

(6) A hang-glider pilot issued with a tandem endorsement may fly in a tandem configuration at any site on any hang-glider suitable for tandem flight.

(7) A hang-glider pilot issued with a power endorsement may launch and fly with any form of powered engine suitable for hang-gliding.

(8) A hang-glider pilot issued with a wheeled endorsement may launch and fly with wheels attached to their equipment.

(9) A hang-glider pilot issued with a hill endorsement may launch and fly from any hill or mountain.

(10) A hang-glider pilot issued with a winch endorsement may launch on a winch.

(11) A hang-glider pilot issued with an aerotow endorsement may launch and fly by means of aerotowing.

(12) A hang-glider pilot issued with a display endorsement may display flying manoeuvres to the public.

Paraglider endorsements

106.01.5(1) A paraglider may be issued with the following endorsements:

(a) basic endorsement;

(b) intermediate endorsement;

(c) sport endorsement;

(d) tandem endorsement;

(e) power endorsement;

(f) wheeled endorsement;

(g) hill endorsement;

(h) winch endorsement; and

(i) display endorsement.

(2) A paraglider pilot issued with a basic endorsement may only−

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(a) fly on a site that is a basic rated site and other site that complies with the specific site requirements; and

(b) fly basic rated paraglider or paraglider defined by a manufacturer as suitable for the use of a basic or entry level pilot.

(3) A paraglider pilot issued with an intermediate endorsement may−

(a) fly on a site that is basic or intermediate rated or other site, provided a pilot complies with the specific site requirements; and

(b) fly a cross country flight or a paraglider defined by a manufacturer as suitable for the use by an intermediate level pilot.

(4) A paraglider pilot issued with a sport endorsement may fly any site on any paraglider.

(5) A paraglider pilot issued with a tandem endorsement may fly in a tandem configuration at any site on any paraglider suitable for tandem flight.

(6) A paraglider pilot issued with a power endorsement may launch and fly with any form of powered engine suitable for paragliding.

(7) A paraglider pilot issued with a wheeled endorsement may launch and fly with wheels attached to their equipment.

(8) A paraglider pilot issued with a hill endorsement may launch and fly from any hill or mountain.

(9) A paraglider pilot issued with a winch endorsement may launch on a winch.

(10) A paraglider pilot issued with a display endorsement may display flying manoeuvres to the public.

Endorsements and ratings for instructor

106.01.6 (1) A flight instructor endorsement or rating shall be for−

(a) assistant flight instructor endorsement;

(b) tandem flight instructor rating;

(c) Grade C flight instructor rating;

(d) Grade B flight instructor rating; and

(e) Grade A flight instructor rating.

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Medical fitness

106.01.7 A holder of a certificate issued in terms of this Part shall hold an appropriate valid medical certificate issued in terms of Part 67.

Logging of flight time and endorsements

106.01.8 (1) A holder of a pilot certificate issued in terms of this Part shall maintain a record of flight time and instruction time as prescribed in Document SA-CATS 106.

(2) A learner, in terms of this Part, shall maintain a record of training flights as prescribed in Document SA-CATS 106.

(3) A person who conducts a competency check or any other assessment required in terms of this Part shall endorse a pilot logbook as prescribed in Document SA-CATS 106.

(4) An electronic pilot logbook 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.

(5) An electronic pilot logbook shall have digital backups available to ensure no loss of data.

Crediting of flight time and theoretical knowledge

106.01.9 (1) Where a pilot logbook is lost or destroyed, such pilot shall request the Director to credit the flight time that was entered in a lost pilot logbook.

(2) The Director shall only credit flight time which had been entered in a lost or destroyed pilot logbook if such flight time is substantiated by acceptable means as determined by the Director.

(3) An applicant for a pilot certificate or instructor rating in one category rating, may be credited for prior learning experience acquired from another category rating at the written recommendation of an instructor conducting training for such applicant.

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(4) An applicant for an endorsement in a particular category may be credited with experience acquired on the written recommendation of an instructor conducting training for such applicant.

(5) A holder of a certificate or endorsement with a particular category rating may be credited with some of the theoretical knowledge for the other category rating.

(6) A holder of an NPL with the weight shift controlled microlight endorsement as provided for in Part 62 may be credited for all prior learning and experience towards a hang-glider category rating.

(7) A learner, in terms of this Part, shall be credited in full for solo flight time and dual flight instruction time towards the total flight time required for the issuance of a hang-glider or paraglider certificate.

Recognition and validation of foreign licence, certificate, or authorisation issued by appropriate authority of another State

106.01.10 (1) The Director may validate a licence, certificate, or authorisation issued or recognised by an appropriate authority of another State, provided that the standard followed by such authority is equivalent to, or higher than the standard established in terms of this Part.

(2) An application for recognition and validation of a foreign licence, certificate, or authorisation issued by another State shall be submitted to the Director on the prescribed form and shall be accompanied by –

(a) a copy of a foreign licence, certificate, or authorisation concerned;

(b) a summary of applicant's pilot logbook as prescribed in Document SA-CATS 106; and

(c) a copy of international pilot proficiency identification card issued by the *Federation Aeronautiqué Internationale*, as applicable.

(3) The Director may issue an applicant with a foreign pilot recognition certificate, provided that –

(a) the standards of a foreign licence, certificate, or authorisation are equivalent or higher than the standards of this Part;

(b) such applicant's request for a foreign pilot recognition certificate was not previously denied by the Director; or

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(c) such applicant's foreign pilot recognition certificate was not, at any time, revoked by the Director.

(4) A holder of a foreign pilot recognition certificate may exercise the privileges of such certificate and shall comply with applicable provisions of this Part.

Register of foreign pilot recognition certificates

106.01.11 (1) The Director shall maintain a register of foreign pilot recognition certificates issued in terms of this Part.

(2) A register referred to in subregulation (1) shall contain the foreign recognition registration numbers, dates of issue, as well as the following information of a holder:

(a) full name;

(b) date of birth;

(c) postal and residential address;

(d) nationality; and

(e) national identification number or passport number.

Aviation training provider

106.01.12 (1) A training for a pilot certificate, category rating, and endorsement shall be conducted by a DTO approved by the Director.

(2) An approved DTO shall ensure a training conducted in terms of subregulation (1) is conducted by an appropriately rated instructor.

Requirements for a learner

106.01.13 (1) A learner in terms of this Part shall –

(a) be 14 years or older, if undergoing solo flight training; or

(b) be 10 years or older, if undergoing dune soaring solo flight training under direct supervision of a flight instructor.

(2) If a learner referred to in subregulation (1) is a minor, a legal guardian shall provide a letter of consent stating acceptance of liability for damage or injury to persons or property, on the ground or in the air, prior to the issuance of such certificate.

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Privileges and limitations of learner

106.01.14 (1) A learner in terms of this Part may undergo solo, or dual flight training towards an issuance of a pilot certificate, category rating, or endorsement, provided that the training is conducted –

(a) in the category rating for which a pilot certificate is sought;

(b) in case of a solo flight, under supervision and as authorised in terms of this Part; and

(c) VMC by day.

(2) In the case of a tandem endorsement training authorisation, a learner shall fly with an appropriately endorsed tandem flight instructor as stipulated in the sequence of the training syllabus.

(3) A learner shall not undergo a solo cross-country flight unless such a learner has successfully completed training as prescribed in Document SA-CATS 106.

(4) Except in the case of an emergency, a learner shall land and take-off from a suitable training site.

Requirements for pilot certificate

106.01.15 (1) An applicant for the issuance of a pilot certificate shall –

(a) be 16 years or older;

(b) hold a valid medical certificate issued in terms of Part 67;

(c) have successfully completed training towards a pilot certificate as prescribed in Document SA-CATS 106;

(d) have passed theoretical knowledge examination as prescribed in Document SA-CATS 106; and

(e) have passed a competency check with a Grade A or Grade B flight instructor.

(2) An application for the issuance of a pilot certificate shall be made to the Director on the appropriate form and shall be accompanied by –

(a) a copy of an applicant's ID or passport;

(b) a valid medical certificate issued in terms of Part 67;

(c) proof that an applicant has complied with the training requirements of this Part;

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(d) proof that an applicant has passed the prescribed theoretical knowledge examination;

(e) a copy of a logbook showing all training, accurately summarised as prescribed in Document SA-CATS 106;

(f) a recent passport size photograph of an applicant; and

(g) proof of payment of an appropriate fee as prescribed in Part 187.

(3) The Director may issue a pilot certificate if an applicant complies with all requirements of this Part.

(4) A pilot certificate issued in terms of subregulation (3) shall be valid for an indefinite period provided that a holder –

(a) retains a valid medical certificate issued in terms of Part 67;

(b) complies with the maintenance of competency requirements of this Part; and

(c) pays the applicable currency fee as prescribed in Part 187.

(5) A holder of a pilot certificate issued in terms of this Part may act as a PIC of an aircraft in a category for which such holder is rated in VMC by day, provided that such holder complies with the applicable endorsement requirements of this Part.

(6) An applicant for a pilot certificate shall be issued with a category rating for which a certificate is sought.

(7) Where a holder of one category rating applies for an addition to another category rating, such holder shall−

(a) undergo training as prescribed in Documents SA-CATS 106, and

(b) submit documentation as required in terms of this Subpart, to the Director within 60 days.

Maintenance of competency

106.01.16 (1) A competency of a holder of a pilot certificate for a hang-glider or paraglider shall be maintained if, within 24 months from the date of issuance of such certificate or the date of the last competency check, such holder has−

(a) completed not less than 5 flights or 5 hours as a PIC, of which not less than 2 flights or two hours shall have been in the last 10 days;

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(b) completed not less than 40 flights or 10 hours on tandem gliders of which not less than 2 flights shall have been in the last 10 days; or

(c) passed a competency check as prescribed in Document SA-CATS 106.

(2) A holder of a hang-glider or paraglider pilot certificate who has completed at least 3 hours annually for a consecutive period of 60 months as a PIC of hang-glider or paraglider, as the case may be, shall be deemed competent.

(3) The provisions of subregulation (1) shall not apply to a holder of a hang-glider or paraglider pilot certificate who is deemed competent in terms of subregulation (2).

(4) A holder of a pilot certificate issued in terms of this Part who has not flown for a period of 60 months or more, shall be required to pass a relevant theoretical knowledge examinations and relevant competency check as prescribed in Document SA-CATS 106 in order to maintain competency.

SUBPART 2: HANG-GLIDER

Hang-glider endorsement requirements

106.02.1 (1) An applicant for a pilot certificate with the hang-glider category rating may be issued with an endorsement on the successful completion of the requirements as prescribed in Document SA-CATS 106.

(2) An applicant for addition of an endorsement shall have–

(a) acquired experience as prescribed in Document SA-CATS 106;

(b) successfully completed training as prescribed in Document SA-CATS 106;

(c) passed the theoretical knowledge examinations as prescribed in Document SA-CATS 106; and

(d) passed a competency check conducted by a holder of a hang-glider flight instructor endorsement.

(3) A person requiring a hang-glider B endorsement shall be a holder of a hang-glider A endorsement for at least six months.

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(4) A person requiring a hang-glider C endorsement shall be a holder of a hang-glider B endorsement for at least six months.

(5) A person requiring a hang-glider tandem endorsement shall be a holder of a hang-glider C endorsement.

(6) A person requiring an addition to an endorsement shall notify the Director in an appropriate form of such endorsement within 90 days of receiving such endorsement from an instructor.

Privileges and limitations

106.02.2 (1) A holder of a pilot certificate with a hang-glider category rating may, as may be applicable —

(a) act as a PIC of a hang-glider;

(b) operate a hang-glider under the direct supervision of a holder of a flight instruction rating;

(c) operate a hang-glider under the supervision of a hang-glider pilot with a C endorsement.

(2) A holder of a pilot certificate with the hang-glider category rating and a hang-glider A, B or C endorsement may act as a PIC of a hang-glider in accordance with the endorsements added to a pilot certificate within Class F and Class G airspace.

(3) Once an endorsement is recorded in a pilot logbook, a holder of a pilot certificate may exercise the privileges of an endorsement as recorded.

Hang-glider conversion

106.02.3 (1) A holder of a pilot certificate who wishes to convert from one category rating to another shall comply with the training requirements as prescribed in Document SA-CATS 106.

(2) A holder of a pilot certificate referred to in subregulation (1) may be given credits for the theoretical knowledge examination and training requirements based on a written recommendation of an instructor.

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SUBPART 3: PARAGLIDER

Paraglider endorsement requirements

106.03.1 (1) An applicant for a pilot certificate with a paraglider category rating may be issued with a paraglider endorsement on successful completion of the requirements as prescribed in Document SA-CATS 106.

(2) An applicant for an addition to a paraglider endorsement shall have –

(a) the experience as prescribed in Document SA-CATS 106;

(b) successfully completed training as prescribed in Document SA-CATS 106;

(c) passed theoretical knowledge examination as prescribed in Document SA-CATS 106; and

(d) passed a competency check conducted by a holder of a paraglider flight instructor endorsement.

(3) A holder of a pilot certificate with a paraglider category rating who wishes to receive an intermediate endorsement shall hold a basic endorsement for at least six months and have acquired the experience prescribed in Document SA-CATS 106.

(4) A holder of a pilot certificate with a paraglider category rating who wishes to receive a sport endorsement shall hold an intermediate endorsement for at least 12 months and shall have acquired the experience prescribed in Document SA-CATS 106.

(5) A holder of a pilot certificate with a paraglider category rating who wishes to receive a tandem endorsement shall –

(a) hold a pilot certificate with a paraglider category rating for at least 24 months;

(b) hold a sport endorsement for at least 12 months;

(c) hold a valid medical certificate issued in terms of Part 67; and

(d) have acquired the experience as prescribed in Document SA-CATS 106.

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Privileges and limitations

106.03.2 (1) A holder of a pilot certificate with a paraglider category rating–

(a) may act as PIC of a paraglider within Class F and Class G airspaces;

(b) may operate a paraglider unassisted at any site in accordance with the prescribed limitations of such site; and

(c) shall be limited to the operation of a paraglider suitable for such holder's rating and endorsement.

(2) A holder of a pilot certificate with a paraglider category rating shall at all times operate a paraglider in accordance with a manufacturer's instructions and recommendations including a specified mass range.

(3) A holder of a pilot certificate with a paraglider category rating and a sport endorsement may conduct training as a paraglider assistant flight instructor under the supervision of an A or B rated paraglider flight instructor.

(4) A holder of a paraglider tandem endorsement shall be permitted to act as a PIC of a tandem paraglider while carrying a passenger, provided that:

(a) the first three flights shall be carried out with a passenger who holds a valid paraglider certificate with a tandem endorsement; and

(b) after completion of the first three flights referred to in paragraph (a), a holder of a paraglider tandem endorsement shall obtain approval from a relevant safety panel of an approved organisation to complete the remaining flights which may be carried out with a passenger who holds a valid paraglider certificate.

(5) Notwithstanding the provisions of subregulations (1) and (2), the Director may impose additional experience requirements for specific paragliders.

(6) Once an endorsement is recorded in a pilot logbook, a holder of a pilot certificate may exercise the privileges of such endorsement.

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Paraglider conversion

106.03.3 (1) A holder of a hang-glider category certificate who wishes to convert to a paraglider category shall comply with the training requirements as prescribed in Document SA-CATS 106.

(2) A holder of a hang-glider category certificate referred to in subregulation (1) may be given credit for any relevant theoretical knowledge examination and training requirement at a written recommendation of an instructor.

SUBPART 4: INSTRUCTOR RATING

Requirements for paraglider assistant flight instructor endorsement

106.04.1 (1) An applicant for the issuance of a paraglider assistant flight instructor endorsement shall –

(a) be a holder of a paraglider intermediate endorsement for a minimum period of 12 months; and

(b) complete assistant instructor introduction as prescribed in Document SA-CATS 106.

Requirements for paraglider tandem flight instructor rating

106.04.2 (1) An applicant for the issuance of a paraglider tandem flight instructor rating shall –

(a) hold a paraglider tandem endorsement for a minimum period of 12 months; and

(b) have completed a minimum of 500 flights on paragliders of which, a minimum of 150 flights and a minimum of 50 flight hours shall have been completed on tandem paragliders.

Requirements for paraglider Grade B flight instructor rating

106.04.3(1) An applicant for the issuance of a paraglider Grade B flight instructor rating shall –

(a) hold a pilot certificate with a paraglider category rating for a minimum period of 24 months;

(b) be a holder of a sport endorsement for a minimum period of 12 months;

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(c) be a holder of a paraglider assistant flight instructor endorsement for a minimum period of six months;

(d) have completed a minimum of 500 flights and a minimum of 100 flight hours on paragliders; and

(e) have completed a training internship at an accepted paraglider training organisation for a minimum period of 10 days as prescribed in Document SA-CATS 106.

Requirements for paraglider Grade A flight instructor rating

106.04.4 (1) An applicant for the issuance of a paraglider Grade A flight instructor rating shall –

(a) hold a paraglider Grade B flight instructor rating and paraglider tandem flight instructor rating for a minimum period of 24 months; and

(b) have conducted and completed an initial training towards the issuance of at least 50 paraglider pilot certificate.

Requirements for hang-glider assistant flight instructor endorsement

106.04.5 (1) An applicant for the issuance of a hang-glider assistant flight instructor endorsement shall –

(a) be a holder of a hang-glider B endorsement for a minimum period of 12 months; and

(b) have completed an assistant instructor introduction as prescribed in Document SA-CATS 106.

Requirements for hang-glider Grade C flight instructor rating

106.04.6 (1) An applicant for the issuance of a hang-glider Grade C flight instructor rating shall –

(a) hold a pilot certificate with a hang-glider category rating for a minimum period of 24 months;

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(b) be a holder of a hang-glider C endorsement for a minimum period of 12 months; and

(c) have completed a training internship at an approved hang-glider training organisation for a minimum period of 10 days as prescribed in Document SA-CATS 106.

Requirements for hang-glider Grade A and B flight instructor rating

106.04.7 (1) An applicant for the issuance of a hang-glider Grade A or B flight instructor rating shall –

(a) be a holder of a hang-glider Grade C flight instructor rating for a minimum period of 12 months;

(b) in the case of an applicant for Grade B, log a minimum of 30 flights or a minimum of 100 flight hours on hang-gliders;

(c) in the case of an applicant for Grade A, log a minimum of 500 flights or a minimum of 300 flight hours on hang-gliders; and

(d) have completed a training internship at an approved hang-glider training organisation for a minimum period of 10 days as prescribed in Document SA-CATS 106.

Instructor privileges and limitations

106.04.8 (1) A holder of a flight instructor rating may conduct flight instruction in accordance with the endorsements added to a pilot logbook or pilot certificate, as applicable.

(2) An assistant hang-glider or paraglider flight instructor may –

(a) assist with ground training and ground skimming flights;

(b) present theoretical training;

(c) supervise a training flight, provided that such assistant hang-glider is already a holder of a pilot certificate or in the case of a paraglider is already a holder of a novice endorsement;

(d) supervise a training flight, provided that such applicant is already a holder of a pilot certificate or in the case of a paraglider is already a holder of a basic endorsement; and

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(e) supervise a training flight from the beginning under the direct supervision of a Grade A, B, or C flight instructor, as applicable.

(3) A tandem flight instructor may only conduct flight training.

(4) A holder of a Grade B flight instructor rating may conduct training for any endorsement and rating excluding a Grade A flight instructor rating.

(5) A holder of a Grade A flight instructor rating may conduct training for any endorsement and rating.

Instructor conversion

106.4.9 An applicant who wishes to convert from a paraglider instructor rating to a hang-glider instructor rating or vice versa, shall comply with training and theoretical knowledge examination requirements as prescribed in Document SA-CATS 106.

Period of validity of flight instructor rating

106.4.10 A flight instructor rating shall be valid for a period not exceeding 24 months from the date of issuance or date of the last revalidation.

Renewal of flight instructor rating

106.04.11 (1) A holder of a pilot certificate who intends to renew a flight instructor rating, shall –

(a) have attended an instructor seminar conducted by an approved ARO under the auspices of the Authority within 24 months immediately preceding the date of expiry of the rating;

(b) have given not less than three flight instruction hours within the preceding 24 months, of which one hour shall have been within the 12 months immediately preceding the date of expiry of such rating; or

(c) have undergone a competency check as prescribed in Document SA-CATS 106.".

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Amendment of Part 108 of the Regulations

15. Part 108 of the regulations is amended by –

(a) the deletion in regulation 108.02.1 for subregulation (3) paragraph (c).

(b) the deletion in regulation 108.02.2 for subregulation (3) paragraphs (c), (d) and (e).

(c) the substitution for Subpart 2 of the List of Regulations of the following List:

"SUBPART 2:

DUTIES AND FUNCTIONS OF REGULATED AGENTS AND KNOWN CONSIGNORS

108.02.1 Duties of regulated agent

108.02.2 Duties of known consignor

108.02.3 Measures to mitigate threats of cyber-attacks";

(d) the insertion after regulation 108.02.2 of the following regulation:

"**Measures to mitigate threats of cyber-attacks**

108.02.3 (1) A regulated agent and known consignor shall—

(a) identify and secure critical information and communication technology systems and data used for aviation purposes to ensure cybersecurity, privacy, and resilience as prescribed in Document SA-CATS 108;

(b) ensure that its cybersecurity measures are in accordance with a risk assessment and threat levels;

(c) implement cybersecurity measures as prescribed in Document SA-CATS 108; and

(d) report any cybersecurity incident as prescribed in Document SA-CATS 108 to the Director within 48 hours of becoming aware of such incident .".

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Amendment of Part 109 of the Regulations

16. Part 109 of the regulations is hereby amended by—

(a) the substitution in regulation 109.03.10 for subregulation (1) of the following subregulation:

"**109.03.10** (1) An ASTO shall—

(a) identify and secure its critical information and communication technology systems and data used for aviation purposes to ensure cybersecurity, privacy, and resilience as prescribed in Document SA-CATS 109;

(b) ensure that its cybersecurity measures are in accordance with risk assessment and threat levels;

(c) implement cybersecurity measures as prescribed in Document SA-CATS 109; and

(d) report any cybersecurity incident as prescribed in Document SA-CATS 109 to the Director within 48 hours of becoming aware of such incident.".

Amendment of Part 110 of the Regulations

17. Part 110 of the regulations is hereby amended by—

(a) the substitution for Subpart 1 of the List of Regulations of the following List:

"SUBPART 1: GENERAL

110.01.1 Applicability
110.01.2 Authority to act as **[a]** screener
110.01.3 Competency
110.01.4 Documentation
110.01.5 Logbooks
110.01.6 Register of certificates
110.01.7 Language
110.01.8 Designation of examiner
110.01.9 Screener deployment

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110.01.10 Measures to mitigate threats of cyber-attacks";

(b) the substitution in regulation 110.01.1 for subregulation (1) of the following regulation:

"**110.01.1** (1) This **[part]**Part applies to all screening conducted at—

(a) an aerodrome with scheduled operations;

(b) an air carrier facilities;

(c) a regulated agent facilities;

(d) an air traffic control facilities; and

(e) a catering facility serving in civil aviation.";

(c) the substitution for regulation 110.01.9 of the following regulation:

"**110.01.9 [Screening organisations]** A screening organisation shall at all times ensure that a screener and explosive detective dog teams are deployed in accordance with the specification **[contained]** prescribed in Document SA-CATS 110.";

(d) the insertion after regulation 110.01.9 of the following regulation:

"**Measures to mitigate threats of cyber-attacks**

110.01.10 (1) An organisation approved by the Director as a screening organisation shall—

(a) identify and secure its critical information and communication technology system and data used for aviation purposes to ensure cybersecurity, privacy, and resilience as prescribed in Document SA-CATS 110;

(b) ensure that its cybersecurity measures are in accordance with risk assessment and threat levels;

(c) implement cybersecurity measures as prescribed in Document SA-CATS 110; and

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(d) report any cybersecurity incident as prescribed in Document SA-CATS 110 to the Director within 48 hours of becoming aware of such incident.";

(e) the substitution of regulation 110.02.1 of the following regulation:

"**110.02.1** An applicant for the **[issuing]** issuance of a screener certificate shall—

(a) be not less than 18 years of age;

(b) hold a valid medical certificate issued as prescribed in Document SA-CATS 110;

(c) have successfully completed the training referred to in regulation 110.02.2;

(d) have successfully completed a period of on the job training as prescribed in Document SA-CATS 110;

(e) have received satisfactory background check results;

(f) be a South African citizen; **[and]**

(g) have passed Grade 12 or NQF level 4 or equivalent **[Qualification]** qualification: Provided that a person who has been conducting screening duties on or before 28 November 2016 and who does not possess the qualification prescribed in this paragraph, shall produce proof of training attended before this Part came into operation**[.];** and

(h) have proof of verification or the authenticity of qualifications.";

(f) the insertion in regulation 110.03.1 after subregulation (4) of the following subregulation:

"(5) An organisation shall not act as a screening organisation at any aerodrome with scheduled operations where facilities exist, or for air carrier, regulated agent or ATC, unless such organisation is a holder of a valid screening organisation approval issued in terms of this Part.";

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(g) the substitution in regulation 110.03.3 for subregulation (3) of the following subregulation:

"(3) If the Director is satisfied with **[the]** an applicant's operations manual and is satisfied that **[the]** an applicant is able to comply with the provisions of this **[part]** Part, the Director shall—

(*a*) certify in writing on both copies of **[the]** operations manual that these documents have been approved;

(*b*) return one copy of **[the]** approved operations manual to **[the]** an applicant; and

(c) issue to **[the]** such applicant a certificate of approval as **[regulated agent in the prescribed form]** a screening organisation.".

Amendment of Part 111 of the Regulations

18. Part 111 of the Regulations is hereby amended by—

(a) the substitution in regulation 111.01.19 for subregulation (1) of the following subregulation:

"**111.01.19** (1) A designated airport, air carrier, air traffic and navigation service provider, catering store, and supplies service provider shall—

(a) identify and secure its critical information, communication technology systems and data used for aviation purposes to ensure cybersecurity, privacy, and resilience as prescribed in Document SA-CATS 111;

(b) ensure that its cybersecurity measures are in accordance with a risk assessment and threat levels;

(c) implement cybersecurity measures as prescribed in Document SA-CATS 111; and

(d) report cybersecurity incidents as prescribed in Document SA-CATS 111 to the Director within 48 hours of becoming aware of an incident.".

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Amendment of Part 114 of the Regulations

19. Part 114 of the Regulations is hereby amended by:

(a) the substitution in regulation 114.17.1 for subregulation (1) of the following subregulation:

"(1) An air carrier shall—

(a) identify and secure its critical information and communications technology systems and data to ensure cybersecurity, privacy and resilience as prescribed in Document SA-CATS 114;

(b) ensure that its cyber security measures are in accordance with a risk assessment and threat levels;

(c) implement cyber security measures as prescribed in Document SA-CATS 114; and

(d) report cybersecurity incidents as prescribed in Document SA-CATS 114 to the Director within 48 hours of becoming aware of an incident.".

Amendment of Part 121 of the Regulations

20. Part 121 of the Regulations is hereby amended by:

(a) the substitution for Subpart 1 of the List of Regulations of the following List of Regulations:

"SUBPART 1: GENERAL

121.01.1 Applicability

121.01.2 Admission to flight deck

121.01.3 Passenger intoxication and unruly behaviour

121.01.4 Compliance with foreign and domestic regulations

121.01.5 Regulatory infractions during emergency situations

121.01.6 Language proficiency

121.01.7 Peer support programme";

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(b) the insertion after regulation 121.01.6 of the following regulation:

"**Peer support programme**

121.01.7 (1) An air service operator shall ensure that a holder of an aviation licence associated with its operations has access to a peer support programme as prescribed in Document SA-CATS 140.

(2) A peer support programme referred to in subregulation (1) shall protect the confidentiality of exchanged data of persons involved in the peer support as a precondition for an effective peer support programme.";

(c) the substitution in Division Five of Subpart 3 in the list of regulations of the following Division:

"Division Five: **[Training of Cabin Crew members]** Validity periods for training, checking and, certification

121.03.11 Training, checking, and certification **[and validity periods]**

121.03.12 Flight crew proficiency checks and initial type rating";

(d) the substitution of the heading in regulation 121.03.11 of the following heading:

"121.03.11 Training, checking, and certification **[and validity periods]**";

(e) the substitution in regulation 121.05.4 for subregulation (2) of the following subregulation:

"(2) A large turbine-engine aeroplane shall not be operated unless such an aeroplane is equipped with a pressure-altitude reporting transponder which operates in accordance with the requirements stipulated in Part **[171]** 91 and is capable of—

(a) providing pressure-altitude information with a resolution of 25ft, or better from its aeroplane data source; and

(b) automatically providing information on its airborne or on-ground status by means of a Mode S transponder.

***Note 1**: These provisions will improve the effectiveness of airborne collision avoidance systems as well as ATS that employ Mode S radar. In particular, tracking processes are significantly enhanced with a resolution of 7.62m (25 ft), or better.*

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Note 2: *Mode C replies of transponders always report pressure altitude in 30.50m (100ft) increments irrespective of the resolution of the data source.";*

(f) by the substitution for regulation 121.06.4 of the following regulation:

"**Validity and status of AOC**

121.06.4 (1) An AOC shall be valid for a period determined by the Director, which period shall not exceed five years, calculated from the date it is issued, provided that it is not voluntarily surrendered to the Director or otherwise suspended or cancelled by the Director.

(2) Unless otherwise specified by the Director, a holder of an AOC shall be subject to a continuing surveillance programme, and such AOC shall remain valid and in force for a period not exceeding five years. Provided that a holder of AOC—

(a) submits to the Director, 90 days before the expiry date of an AOC, an appropriate application for renewal and renewal fee as prescribed in Part 187;

(b) submits 60 days before the expiry date of an OpSpec, an appropriate application for renewal and annual currency fee as prescribed in Part 187;

(c) has successfully resolved any finding made against such holder pursuant to audits and inspections carried out by the Authority; and

(d) continues to meet the requirements for the issuance of an AOC.

(3) Failure to comply with the provisions of subregulation (2), shall result in a holder of such an AOC being ineligible to exercise the privileges of an AOC.

(4) If a holder of an AOC becomes ineligible to exercise the privileges as referred to in subregulation (3), the Director shall notify such holder of the suspension of AOC in writing, and such holder shall immediately surrender such AOC and OpSpec to the Director.

(5) An AOC is not transferable.

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(6) A holder of an AOC who fails to comply with the requirements as provided in subregulation (2) or whose certificate or OpSpec is surrendered or suspended, shall acknowledge the reasons in writing within 15 working days of receipt and shall immediately return such AOC and OpSpec to the Director.

(7) An operation in terms of this Part may only be conducted by a holder of a current AOC and OpSpec.

(8) A renewed AOC and OpSpec to be issued in terms of this Part shall be issued at least 15 days before expiry of the current AOC or OpSpec.

(9) In case of delays in the approval of an AOC or OpSpec in terms of subregulation (8), the Director may elect to issue a temporary certificate provided that there is no safety concern and the application requirements are met.".

(g) the substitution in regulation 121.07.1 for subregulation (8) of the following subregulation:

"(8) An air service operator shall ensure that a flight shall not commence or proceed as planned, unless such air service operator has ascertained by every reasonable means available that—

(a) an airspace containing intended route from an aerodrome of departure to aerodrome of arrival, including intended take-off, destination, and en-route alternate aerodromes, can be safely used for a planned operation;

(b) when intending to operate over or near a conflict zone, a risk assessment is conducted, and appropriate risk mitigation measures are taken to ensure a safe flight; and

(c) the ground facilities and services, including meteorological services and rescue firefighting services are—

(i) available as required for the safe operation of an aeroplane and protection of passengers;

(ii) adequate for a type of operation being conducted; and

(iii) functioning normally for their intended purpose.

Note: *Reasonable means denotes the use, at the point of departure or while an aircraft is in flight, of information available to an air service operator either through*

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official information published by an aeronautical information services provider or readily obtainable from other sources.";

(h) the substitution for regulation 121.07.3 of the following regulation:

"**121.07.3** (1) An air service operator 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.

(2) An air service operator shall ensure that a flight operation officer or flight dispatcher in conjunction with a system of control and supervision of flight operations provided in regulation 121.07.1—

(a) assist a PIC in flight preparation and provide relevant information;

(b) assist a PIC in preparing an operational flight plan and ATS flight plans, sign where applicable, and file ATS flight plan with appropriate ATSU;

(*c)* where applicable, assist a PIC in preparing a preliminary flight plan, and submit such plan to an appropriate ATSU;

(d) sign, where applicable, and file a flight plan with an appropriate ATSU;

(e) furnish a PIC while in flight, by appropriate means, with information which may be necessary for the safe conduct of a flight; and

(f) notify an appropriate ATSU when a position of an aeroplane cannot be determined by an aeroplane tracking capability and attempts to establish communication are unsuccessful.";

(i) the substitution for regulation 121.07.4 of the following regulation:

"**121.07.4** (1) An air service operator shall ensure that **[air traffic services]** ATS are used for all flights whenever available.

(2) Operational instructions involving a change in ATS filed or current flight

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plan shall, when practicable, be coordinated with appropriate ATSU before transmission to an aeroplane.";

(j) the substitution for regulation 121.07.21 of the following regulation:

"**121.07.21** (1) An air service operator shall establish minimum flight altitudes for all route segments to be flown which provide a required terrain clearance, taking into account the operating limitations referred to in Subpart 8 of this Part and the minimum altitudes provided in regulation 91.06.32.

(2) An air service operator shall specify the method by which it is intended to determine minimum flight altitudes for operations conducted over routes for which minimum flight altitudes have not been established and shall include that method in an operations manual.

(3) A method for establishing minimum flight altitudes referred to in subregulation (2) shall be approved by the Director.

(4) An air service operator shall take into account the following factors when establishing minimum flight altitudes:

(a) the accuracy and reliability with which a position of an aeroplane can be determined;

(b) probable inaccuracies in the indications of the altimeters used;

(c) characteristics of a terrain along a route or in areas where operations are to be conducted;

(d) probability of encountering unfavourable meteorological conditions;

(e) possible inaccuracies in aeronautical charts; and

(f) airspace restrictions.

(5) In complying with the provisions of subregulation (4), an air service operator shall give due consideration to—

(a) corrections for temperature and pressure variations from standard values; and

(b) any contingency which may occur along a planned route.".

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Amendment of Part 127 of the Regulations

21. Part 127 of the Regulations is hereby amended by:

(a) the substitution in regulation 127.05.3 for subregulation (1) of the following subregulation:

"**127.05.3** (1) **[The]** An air service operator shall not operate a helicopter in accordance with IFR, unless such helicopter is equipped with—

(a) a magnetic compass;

(b) an accurate time-piece on board indicating the time in hours, minutes and seconds;

(c) two sensitive pressure altimeters with subscale settings, calibrated in hectopascals, adjustable for any barometric pressure setting likely to be encountered during flight;

(d) in the case of a helicopter having **[a maximum certificated mass]** an MCM exceeding **[3 180 kilograms]** 3 175kg or a maximum passenger seating configuration of more than 9 seats, **[a radio altimeter with an audio warning operating below a pre-set height and a visual warning capable of operating at a height selectable by the pilot should be equipped with]** a ground proximity warning system which has a forward-looking terrain avoidance function;";

(e) an airspeed indicator system with heated pitot tube or equivalent means for preventing malfunctioning due to either condensation or icing, including a warning indicator of pitot heater failure;

(f) a vertical-speed indicator;

(g) a turn-and-slip indicator or in lieu thereof, an additional attitude indicator powered by a power source separate from that of **[the]** a main attitude indicator;

(h) an attitude indicator;

(i) a single standby attitude indicator, capable of being used from either pilot's station, which—

(i) is powered continuously during normal operation and, after a total failure of **[the]** a normal electrical generating system,

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is powered from a source independent of **[the]** such normal electrical generating system;

(ii) provides reliable operation for a minimum of 30 minutes after total failure of **[the]** normal electrical generating system, taking into account other loads on **[the]** emergency power supply and operational procedures;

(iii) operates independently of any other attitude indicating system;

(iv) is operative automatically after total failure of **[the]** normal electrical generating system; and

(v) is appropriately illuminated during all phases of operation:

Provided that if **[the]** a standby attitude instrument system is capable of being used through flight attitudes of 360° of pitch and roll, the turn-and-slip indicators may be replaced by slip indicators;

(j) a stabilised direction indicator;

(k) a means of indicating on **[the]** a flight deck the outside air temperature in degrees Celsius;

(l) an alternate source of static pressure for **[the]** altimeter, and **[the]** airspeed and vertical speed indicators; **[and]**

(m) a chart holder in an easily readable position which can be illuminated, if **[to be]** operated by night; and

(n) communication, navigation, and surveillance equipment as **[prescribed]** provided in regulations 91.05.1 and 91.05.2.";

(b) the substitution in regulation 127.05.14 for subregulation (2) of the following subregulation:

"(2) A person shall not conduct a commercial operation—

(a) with a helicopter of an MCTOW exceeding 3 180 kg for which an individual certificate of airworthiness was first issued on or after 1 January 2016 unless such helicopter is equipped with a Type IV FDR that complies with the requirements prescribed in Document SA-CATS 127;

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(b) with a helicopter of an MCTOW exceeding 7 000 kg, or having a passenger seating configuration of more than 19, for which an individual certificate of airworthiness was first issued on or after 1 January 1989, unless such helicopter is equipped with a Type IV FDR that complies with the requirements prescribed in Document SA-CATS 127;

(c) with a helicopter of an MCTOW exceeding 7 000kg, or having a passenger seating configuration of more than nine, for which an individual certificate of airworthiness was first issued on or after 1 January 1989, unless if—

(i) such helicopter is equipped with an FDR that complies with the requirements prescribed in Document SA-CATS 127;

(ii) **[an air service operator has established and maintained a flight data analysis as part of its SMS for such helicopter]** a data analysis has been established and maintained for such helicopter as part of such person's SMS; and

(iii) a flight data analysis programme contains adequate safeguards to protect the source of data that complies with the requirements prescribed in Document SA-CATS 140.";

(c) the substitution for Subpart 6 for the list of regulations of the following list:

"SUBPART 6: OPERATING CERTIFICATE

127.06.1 Requirement to hold **[an]** air operator certificate

127.06.2 Application for **[the]** issuance or amendment of **[an]** air operator certificate and operations specifications

127.06.3 Adjudication of and issuance of **[an]** air operator certificate or operations specifications

127.06.4 **[Period of validity and status of an air operator certificate]** Validity and status of AOC

127.06.5 Safety and security inspections and audits

127.06.7 Register of air operating certificates

127.06.8 Demonstration flights";

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(d) the substitution for regulation 127.06.4 of the following regulation:

"**Validity and status of AOC**

127.06.4 (1) An AOC shall be valid for a period not exceeding five years, calculated from the date of issuance provided that a holder thereof—

(a) shall be subjected to a continuing surveillance programme;

(b) satisfactory resolve any finding determined by such audits and inspections carried out by the Authority; and

(c) continues to meet the requirements for the issuance of an AOC.

(2) In order to continue holding a valid AOC, a holder shall—

(a) submits 90 days before an AOC expiry date, an appropriate application for renewal and renewal fee as prescribed in Part 187; and

(b) submits 60 days before the expiry date of an OpSpec, appropriate renewal application and annual currency fee as prescribed in Part 187.

(3) Failure to comply with subregulation (2) shall result in a holder of an AOC being ineligible to exercise the privileges of an AOC.

(4) If a holder of an AOC becomes ineligible to exercise the privileges as indicated in subregulation (3), the Director shall notify such holder of the suspension in writing, and such holder shall immediately surrender such AOC and OpSpec to the Director.

(5) An AOC remains valid provided that an AOC is not voluntarily surrendered to the Director or otherwise suspended or cancelled by the Director.

(6) An AOC is not transferable.

(7) An operation in terms of this Part may only be conducted by a holder of a current AOC and OpSpec.

(8) A holder of an AOC who fails to comply with requirements as provided in subregulation (2) or whose AOC or OpSpec is surrendered or suspended, shall return such AOC or OpSpec to the Director within 15 days of receipt of suspension of an AOC concerned.

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(9) An AOC or OpSpec renewed in terms of this Subpart shall be issued at least 15 days before expiry of a current AOC or OpSpec.

(10) In case of delays in the approval of an AOC or OpSpec in terms of subregulation (9), the Director may elect to issue a temporary certificate provided that there is no safety concern and the application requirements are met.".

(e) the insertion in regulation 127.07.8 after subregulation (6) of the following subregulation:

"(7) An air service operator shall not consider offshore landing alternatives in a hostile environment.";

(f) the insertion in regulation 127.08.2 after subregulation (8) of the following subregulations:

"(9) Notwithstanding the provisions of this Subpart, the Director may, based on the result of a risk assessment, allow for variations without a safe forced landing.

(10) A risk assessment referred to in subregulation (9) shall take into consideration the following:

(a) type and circumstances of an operation;

(b) an area or terrain over which an operation is being conducted;

(c) the probability of and length of exposure to, a critical engine failure and a tolerability of such an event;

(d) procedures and systems for monitoring and maintaining the reliability of an engine;

(e) training and operational procedures to mitigate the consequences of a critical engine failure; and

(f) helicopter equipment.".

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Amendment of Part 135 of the Regulations

22. Part 135 of the Regulations is hereby amended by:

(a) the substitution in regulation 135.02.9 for subregulation (1) and (2) of the following subregulations:

"**135.02.9** (1) An air service operator shall be responsible for the following:

(a) to establish a scheme for management of flight time and duty periods, rest periods, and days free of duty as applicable, for each flight crew member, cabin crew member, and flight operations officer, that—

(i) complies with the flight time and duty period limitations, rest periods, and days free of duty as prescribed in Document SA-CATS 135; or

(ii) implement a system of flight time and duty period limitations, rest periods, and days free of duty proposed by an air service operator where the Director is of the opinion that an equivalent level of safety may be achieved by an air service operator's proposed scheme.

(b) provide relevant scientific data for supporting such proposed scheme;

(c) publish a proposed scheme in an operations manual referred to in regulation 135.04.2;

(d) ensure that flight duty periods are planned in a way that enables crew members to remain sufficiently free from fatigue so that crew members operate in a satisfactory level of safety under all circumstances;

(e) specify reporting times that allow sufficient time for ground duties;

(f) take into account the relationship between the frequency and pattern of flight duty periods and rest periods, and give consideration to the cumulative effects of undertaking long duty hours combined with minimum rest periods;

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(g) allocate duty period which avoid practices that cause a serious disruption of an established sleep or work pattern, such as alternating day or night duties;

(h) provide rest periods of sufficient time to enable crew members to overcome the effects of previous duties and be rested by the start of the following duty period;

(i) plan recurrent extended recovery rest periods and notify crew members in advance;

(j) plan flight duties in order to be completed within the allowable flight duty period taking into account the time necessary for pre-flight duties, the sector and turnaround times, as well as post-flight duties;

(k) to assign a home base to each crew member;

(l) not to assign a duty, if such assignment is not in compliance with the provisions of a scheme referred to in this regulation or if—

(i) an air service operator knows or has been made aware that such flight assignment shall cause a crew member to exceed flight time and duty periods referred to in this regulation while on flight duty; or

(ii) a crew member, having regard to the circumstances of a flight to be undertaken, is suffering from or likely to suffer from fatigue which may endanger the safety of an aircraft or its crew members and passengers.

(2) A crew member shall−

(a) not accept an assignment if such assignment is not in compliance with the provisions of a scheme referred to in subregulation (1) or if such crew member —

(i) knows or has been made aware that such flight assignment may cause such crew member to exceed flight time and duty periods referred to in subregulation (1) while on flight duty; or

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(ii) knows or suspects that such a crew member is suffering from fatigue or feels otherwise unfit, to the extent that a flight may be endangered.

(3) Where a flight crew member, cabin crew member, or flight operations officer is aware of any reason that would be in violation of a scheme referred to in subregulation (1), such flight crew member, cabin crew, or flight operations officer shall, without delay, inform an air service operator through the means stipulated by such air service operator.

(4) For the purposes of this regulation, an air service operator shall include−

(a) responsible management personnel of such air service operator;

(b) a duty crew scheduler of an air service operator;

(c) a duty person responsible for operational control over a flight; and

(d) in the case of a cabin crew member, a PIC or such cabin crew member's immediate supervisor.

(5) A crew member shall plan and use rest periods responsibly and make optimum use of opportunities and facilities provided for rest.

(6) When undertaking duties for more than one air service operator, a crew member shall—

(a) maintain his or her individual records regarding flight and duty times and rest periods as prescribed in Document SA-CATS 135; and

(b) provide each air service operator with data required to schedule activities in accordance with requirements prescribed in Document SA-CATS 135.";

(b) the substitution for regulation 135.05.4 of the following regulation:

"**135.05.4** (1) A large turbine-engine aeroplane shall only be operated if it is equipped with—

(a) an altitude alerting system capable of −

(i) alerting flight deck crew members upon approaching preselected altitude in either ascent or descent in sufficient

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time to establish level flight at such preselected altitude; and

(ii) alerting flight deck crew members when deviating above or below a preselected altitude by at least an aural signal.

(b) a pressure-altitude reporting transponder which operates in accordance with the requirements provided in Par1 and is capable of—

(i) providing pressure-altitude information with a resolution of 25ft, or better from its aeroplane data source; and

(ii) automatically providing information on its airborne or on-ground status of using a Mode S transponder.

Note 1: *This regulation will improve the effectiveness of airborne collision avoidance systems as well as air traffic services that employ Mode S radar. In particular, tracking processes are significantly enhanced with a resolution of 7.62m (25 ft), or better.*

Note 2: *Mode C replies of transponders always report pressure altitude in 30.50m (100 ft) increments irrespective of the resolution of the data source.*";

(c) the substitution in regulation 135.05.5 for and after subregulation (10) of the following subregulations:

"(10) A turbine-engine aeroplane with an MCTOM of less than 5 700 kg and authorised to carry between five and nine passengers shall be equipped with TAWS that provides**—**

(a) **[warnings stipulated in subregulation (6)]** forward-looking terrain avoidance function;

(b) a warning of unsafe terrain clearance; and

(c) a predictive terrain avoidance function.

(11) A turbine-engine aeroplane of an MCM of 5 700kg or less and authorised

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to carry more than five passengers, but not more than nine, passengers for which an individual certificate of airworthiness was first issued on or after 1 January 2026, shall be equipped with a ground proximity warning system which provides for unsafe terrain clearance, and a forward-looking terrain avoidance function for—

(a) excessive descent rate; and

(b) excessive altitude loss after take-off or go-around.";

(d) the substitution for regulation 135.06.4 of the following regulation:

"**Validity and status of AOC**

135.06.4 (1) An AOC shall be valid for a period determined by the Director, and such a period shall not exceed five years, calculated from the date of issuance or renewal thereof.

(2) An AOC holder shall be subject to a continuing surveillance programme, and an AOC shall remain valid provided that an AOC holder—

(a) submits 90 days before such AOC expiry date, an appropriate application for renewal and renewal fee as prescribed in Part 187;

(b) submits 60 days before expiry date of an OpSpec, an appropriate application for renewal and annual currency fee as prescribed in Part 187;

(c) successfully resolves any finding reported against such AOC holder pursuant to audits and inspections carried out by the Authority; and

(d) continues to meet the requirements for the issuance of an AOC.

(3) Failure to comply with subregulation (2), shall result in an AOC holder being ineligible to exercise the privileges of an AOC.

(4) The Director shall notify an AOC holder of a suspension in writing, and such AOC holder shall immediately surrender an AOC and OpSpec to the Director.

(5) An AOC remains valid provided such AOC is not voluntarily surrendered to the Director or otherwise suspended or cancelled by the Director.

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(6) An AOC shall not be transferable.

(7) A holder of an AOC who fails to comply with the requirements as provided in subregulation (2) or whose certificate or OpSpec is surrendered or suspended, shall acknowledge the reasons in writing within 15 working days of receipt and shall return such AOC or OpSpec to the Director.

(8) An operation in terms of this Part may only be conducted by a holder of a current AOC and OpSpec.

(9) An AOC and OpSpec issued in terms of this Part shall be issued at least 15 days before expiry of such AOC or OpSpec.

(10) In case of a delay in the approval of an AOC or OpSpec in terms of subregulation (9), the Director may elect to issue a temporary certificate provided that there is no safety concern and all application requirements are met.".

(e) the substitution in regulation 135.07.1 for subregulation (8) of the following subregulation:

"(8) An air service operator shall ensure that a flight does not commence or continue as planned unless it has been ascertained by all reasonable means available that—

(a) an airspace containing an intended route from an aerodrome of departure to an aerodrome of arrival, including intended take-off, destination and en-route alternate aerodromes, can be safely used for a planned operation;

(b) when intending to operate over or near a conflict zone, a risk assessment is conducted, and appropriate risk mitigation measures have been taken to ensure a safe flight;

(c) the ground facilities and services, including meteorological services and rescue firefighting services are—

(i) available as required for a safe operation of an aeroplane and the protection of passengers;

(ii) adequate for a type of operation being conducted; and

(ii) functioning normally for their intended purpose.

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Note: *Reasonable means denotes the use, at the point of departure or while an aeroplane is in flight, of information available to an air service operator either through official information published by the aeronautical information services or readily obtainable from other sources.";*

(f) the substitution for regulation 135.07.3 of the following regulation:

"**135.07.3 [An Air operator]** (1) An air service operator 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.

(2) An air service operator shall ensure that a flight operations officer or flight dispatcher in conjunction with the system of control and supervision of flight operations provided in regulation 135.07.1—

(a) assists a PIC in flight preparation and provides relevant information;

(b) assists a PIC in preparing an operational flight plan and ATS flight plans, sign, where applicable, and file an ATS flight plan with an appropriate ATSU;

(c) where applicable, assist a PIC in preparing a preliminary flight plan, and submit it to an appropriate ATSU;

(d) sign, where applicable, and file a flight plan to a unit designated by an appropriate ATS authority and appropriate ATSU;

(e) furnishes a PIC while in flight, by appropriate means, with information which may be necessary for the safe conduct of a flight; and

(f) notifies an appropriate ATSU when a position of an aircraft cannot be determined by an aircraft tracking facility and where attempts to establish communication are unsuccessful.";

(g) the substitution for regulation 135.07.4 of the following regulation:

"**135.07.4** (1) An air service operator shall ensure that **[air traffic services]** ATS are used for all flights whenever available.

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(2) Operational instructions involving a change in an ATS filed or current flight plan shall, when practicable, be coordinated with an appropriate ATSU before transmission to an aeroplane.";

(h) the substitution for regulation 135.07.20 of the following regulation:

"**135.07.20** (1) An air service operator shall establish minimum flight altitudes for route segments to be flown which provide the required terrain clearance by considering operating limitations referred to in Subpart 8 of this Part and the minimum altitudes as provided in regulation 91.06.32.

(2) An air service operator shall specify a method by which it intends to determine minimum flight altitudes for operations conducted over routes for which minimum flight altitudes have not been established and shall include such method in an operations manual.

(3) A method for establishing the minimum flight altitudes referred to in subregulation (2) shall be approved by the Director.

(4) An air service operator shall consider the following factors when establishing minimum flight altitudes:

(a) the accuracy and reliability with which a position of an aeroplane can be determined;

(b) probable inaccuracies in the indications of the altimeters used;

(c) characteristics of a terrain along the routes or in areas where operations are to be conducted;

(d) probability of encountering unfavourable meteorological conditions;

(e) possible inaccuracies in aeronautical charts; and

(f) airspace restrictions.

(5) In complying with the provisions of referred to in subregulation (4), an air service operator shall give due consideration to−

(a) corrections for temperature and pressure variations from standard values; and

(b) any contingencies which may occur along a planned route.".

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Amendment of Part 136 of the Regulations

23. Part 136 of the regulations is hereby amended by:

(a) the substitution for the List of Regulations of the following List of Regulations:

"SUBPART 6: OPERATING CERTIFICATE

136.06.1 Operating certificate

136.06.2 Application for operating certificate

136.06.3 Adjudication of application for operating certificate

136.06.4 **[Period of validity of operating certificate]** Validity and status of AOC

136.06.5 Safety inspections and audits

136.06.6 Duties of holder of operating certificate

136.06.7 Register of operating certificates";

(b) the substitution for regulation 136.06.4 of the following regulation:

"**Validity and status of AOC**

136.06.4 (1) An AOC shall be valid for a period determined by the Director, and such a period shall not exceed five years, calculated from the date of issuance or renewal of an AOC or OpSpec.

(2) An AOC holder shall be subject to a continuing surveillance programme, and an AOC shall remain valid provided that its holder—

(a) submits 90 days before an expiry date of such AOC, an appropriate application for renewal and renewal fee as prescribed in Part 187;

(b) submits 60 days before an expiry date of an OpSpec, an appropriate application for its renewal and annual currency fee as prescribed in Part 187;

(c) successfully resolve any finding reported to such AOC holder pursuant to audits and inspections carried out by the Authority; and

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(d) continues to meet the requirements for the issuance of an AOC.

(3) Failure to comply with the provisions of subregulation (2), shall result in an AOC holder of such approval being ineligible to exercise the privileges of an AOC.

(4) The Director shall notify an AOC holder referred to in subregulation (3) of a suspension in writing and such operator shall immediately surrender an AOC and OpSpec to the Director.

(5) An AOC shall remain valid for the specified period in terms of subregulation (2) provided that it is not voluntarily surrendered, suspended, or cancelled by the Director.

(6) An AOC shall not be transferable.

(7) An AOC holder who receives a notice of suspension in terms of subregulation (4) shall acknowledge the reasons in writing within 15 working days of receipt and shall return such AOC or OpSpec to the Director.

(8) An operation in terms of this Part may only be conducted by a holder of a current AOC and OpSpec

(9) An AOC and OpSpec issued by the Director in terms of this Part shall be issued at least 15 days before expiry of such AOC or OpSpec.

(10) In case of delays in the approval of an AOC or OpSpec in terms of subregulation (9), the Director may elect to issue a temporary certificate provided that there are no safety concerns and the application requirements are met.".

Amendment of Part 137 of the Regulations

24. Part 137 of the regulations is hereby amended by:

(a) the substitution in regulation 137.01.2 subregulation (1) for paragraph (a) of the following paragraph:

"**137.01.2** (1) A pilot of an aircraft engaged in an agricultural operation, shall hold—

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(a) a valid agricultural pilot rating issued in terms of Part 61 or Part 62 for the category of aircraft used; and";

(b) the substitution in regulation 137.01.4 for subregulation (1) of the following subregulation:

"**137.01.4** (1) **[Each]** An owner or operator of an aircraft engaged in an agricultural or fire-fighting operation shall ensure that **[the]** such aircraft has, in addition to the equipment prescribed in Part 91 and Part 94, an approved and properly installed shoulder harness for each person on board.".

Amendment of Part 139 of the Regulations

25. Part 139 of the Regulations is hereby amended by:

(a) the substitution in regulation 139.02.13 for subregulation (2) of the following subregulation:

"(2) An applicant for aerodrome licence shall establish a procedure for initially assessing, and a procedure for maintaining **[,]** the competence of those personnel involved in operating and maintaining an aerodrome, its services and its facilities **[.]** as prescribed in Document SA-CATS 139.";

(b) the substitution for regulation 139.04.3 of the following regulation:

"**139.04.3** (1) An applicant for the issuance of a helistop approval shall provide **[the Director with]** a copy of the standard operating procedures commensurate with the operations at that helistop **[as required]** for approval by **[Flight Operations]** the Director.";

(c) the substitution for regulation 139.06.1 of the following regulation:

"**139.06.1** (1) This Subpart applies to an aerodrome or area that—

(a) is not required to be licensed in terms of Subpart 2; or

(b) does not require approval in terms of Subpart 5; and

(c) falls within exclusions as prescribed in Document SA-CATS 139.

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(2) Registration of an aerodrome does not confer any right of use by a third party and any permission for use shall be obtained from an aerodrome operator.

(3) The requirements for registration of an aerodrome are prescribed in Document SA-CATS 139.".

Amendment of Part 140 of the Regulations

26. Part 140 of the Regulations is hereby amended by:

(a) the substitution in regulation 140.01.3 for subregulation (1) of the following subregulation:

"(1) An entity referred to in regulation 140.01.1 shall include in its SMS the following components and elements **[—]**:

(a) safety policy and objectives including—
- (i) management commitment;
- (ii) safety accountability and responsibilities;
- (iii) appointment of key safety personnel;
- (iv) coordination of emergency response planning; and
- (v) SMS documentation.

(b) safety risk management including —
- (i) hazard identification; and
- (ii) safety risk assessment and mitigation.

(c) safety assurance including —
- (i) safety performance monitoring and measurement;
- (ii) management of change; and
- (iii) continuous improvement of the SMS.

(d) safety promotion including —
- (i) training and education**; [and]**
- (ii) safety communication; and
- (iii) peer support programme, ".

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Amendment of Part 141 of the Regulations

27. Part 141 of the regulations is hereby amended by:

(a) the substitution for the List of Regulations of the following the List of Regulation:

"SUBPART 1: GENERAL

141.01.1 Applicability

141.01.2 Certification of ATO

141.01.3 Duties of ATO

141.01.4 ATO certificate and Ops Specs

141.01.5 Advertising

141.01.6 Application for initial ATO certificate

141.01.7 **[Period of validity of ATO certificate]** Validity and status of ATO

141.01.8 Safety inspections and audits

141.01.9 Amendment of ATO certificate

141.01.10 Location of ATO

141.01.11 Satellite ATO

141.01.12 ATO off-base training

141.01.13 Third-Party training

141.01.14 Approval of foreign ATO

141.01.15 Facilities, equipment and material

141.01.16 Personnel requirements

141.01.17 Record keeping

141.01.18 Quality assurance and quality system

141.01.19 ATO training and procedures manual

141.01.20 Duty period limitations

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141.01.21 Approval of training courses where syllabus is not provided

141.01.22 Graduation certificate

141.01.23 Evaluation and checking

141.01.24 Voluntary closure of ATO

141.01.25 Competency-based training and assessment";

(b) the substitution for regulation 141.01.7 of the following regulation:

"**Validity and status of ATO**

141.01.7 (1) An ATO approval shall be valid for a period determined by the Director, and such a period shall not exceed five years, calculated from the date of issuance or renewal thereof.

(2) An ATO approval holder shall be subject to a continuing surveillance programme and an ATO approval shall remain valid provided that an ATO approval holder—

(a) submits 90 days before an ATO expiry date, an appropriate application for its renewal and renewal fee as prescribed in Part 187;

(b) submits 60 days before an expiry date of an OpSpec, an appropriate application for its renewal and annual currency fee as prescribed in Part 187;

(c) successfully resolves any finding reported to such organisation pursuant to audits and inspections carried out by the Authority; and

(d) continues to meet the requirements for the issuance of an ATO approval.

(3) Failure to comply with the provisions of subregulation (2) shall result in an ATO approval holder being ineligible to exercise the privileges of an ATO approval.

(4) The Director shall notify an ATO holder referred to in subregulation (3) of a suspension of its ATO approval, in writing, and such an ATO

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approval holder shall immediately surrender an ATO approval certificate and OpSpec to the Director.

(5) An ATO approval shall remain valid provided such ATO approval is not voluntarily surrendered or otherwise suspended or cancelled by the Director.

(6) An ATO approval shall not be transferable.

(7) A holder of an ATO approval who receives a notice of suspension in terms of subregulation (4) shall acknowledge the reasons in writing within 15 working days of receipt and surrender such approval to the Director.

(8) A holder of an ATO approval may apply for a dormancy of an ATO approval for a period not exceeding 36 months by−

(a) submitting a written application to the Director;

(b) paying annual currency fees in terms of Part 187; and

(c) surrendering such ATO approval and OpSpec to the Director.

(9) A dormant ATO approval and OpSpec shall only be reissued after a renewal audit has been conducted.

(10) An operation in terms of this Part may only be conducted by a holder of a current ATO approval and OpSpec

(11) An ATO approval and OpSpec renewed in terms of this Part shall be issued at least 15 days before expiry of current ATO approval or OpSpec.

(12) In case of delays in the approval of an ATO or OpSpec in terms of subregulation (11), the Director may elect to issue a temporary ATO approval certificate provided that there is no safety concern and the application requirements are met.".

Amendment of Part 145 of the Regulations

28. Part 145 of the regulations is hereby amended by:

(a) the substitution for the List of Regulations of the following List of Regulations:

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"SUBPART 2: APPROVAL OF AIRCRAFT MAINTENANCE ORGANISATION

145.02.1 Manual of procedure
145.02.2 Quality assurance system
145.02.3 Accommodation and facilities
145.02.4 Personnel requirements
145.02.5 Equipment, tools and material
145.02.6 Application for approval or amendment thereof
145.02.7 Issuing of approval
145.02.7A Capability list
145.02.8 Privileges
145.02.9 **[Period of validity]** Period of validity of AMO
145.02.9A Extension of **[an]** approval
145.02.10 Transferability
145.02.11 Renewal of approval
145.02.12 Changes in quality system
145.02.13 Duties of holder of approval
145.02.14 Record of certifying personnel
145.02.15 Maintenance records
145.02.16 Reports on defects or non-airworthy conditions
145.02.17 Airworthiness data
145.02.18 Drug and substance abuse management plan";

(b) the substitution for regulation 145.02.9 of the following regulation:

"**Period of validity of AMO**

145.02.9 (1) An AMO approval shall be valid for a period determined by the Director, and such a period shall not exceed five years, calculated from the date of issuance.

(2) An AMO approval holder shall be subject to a continuing surveillance programme and an AMO approval shall remain valid provided that a holder thereof—

(a) submits 90 days before an AMO expiry date, appropriate application for renewal and renewal fee as prescribed in Part 187;

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(b) submits 60 days before expiry date of an OpSpec, an appropriate application for its renewal and annual currency fee as prescribed in Part 187;

(c) successfully resolves any finding reported to such operator pursuant to audits and inspections carried out by the Authority; and

(d) continues to meet the requirements for issuance of an AMO approval.

(3) Failure to comply with subregulation (2), shall result in a holder of AMO approval being ineligible to exercise the privileges of an AMO approval.

(4) The Director shall notify an AMO approval holder of any suspension of an AMO approval in writing and such AMO approval holder shall immediately surrender an AMO approval and OpSpec to the Director.

(5) An AMO approval remains valid provided that such AMO approval is not voluntarily surrendered or otherwise suspended or cancelled by the Director.

(6) An AMO approval is not transferable.

(7) A holder of an AMO approval who fails to comply with requirements prescribed in subregulation (2) or whose certificate has expired, surrendered, or suspended, shall acknowledge the reasons in writing within 15 working days of receipt and immediately return such approval and OpSpec to the Director.

(8) Maintenance in terms of this Part may only be conducted by a holder of a current AMO and OpSpec.

(9) A Maintenance approval and OpSpec issued in terms of this Part shall be issued at least 15 days before expiry of current approval or OpSpec.

(10) In case of delays in approval of an AMO or OpSpec in terms of subregulation (9), the Director may elect to issue a temporary AMO approval provided that there is no safety concern and the application requirements are met.".

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Amendment of Part 147 of the Regulations

29. Part 147 of the regulations is hereby amended by:

(a) the substitution for the List of Regulations of the following List of Regulations:

"SUBPART 2: APPROVAL OF DESIGN ORGANISATION

147.02.1 Requirement for approval

147.02.2 Manual of procedure

147.02.3 Design control system

147.02.4 Personnel requirements

147.02.5 Accommodation, facilities and equipment

147.02.6 Application for approval or amendment thereof

147.02.7 Issuing of approval

147.02.8 Terms of approval

147.02.9 Privileges

147.02.10 [**Period of validity]** Validity and status of Design Organisation approval

147.02.11 Transferability

147.02.12 Changes in design control system

147.02.13 Changes in terms of approval

147.02.14 Duties of holder of approval

147.02.15 Renewal of approval";

(b) the substitution of regulation 147.02.10 of the following regulation:

"**Validity and status of Design Organisation approval**

147.02.10 (1) A design organisation approval shall be valid for a period determined by the Director, and such a period shall not exceed five years, calculated from the date of issuance.

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(2) A design organisation approval holder shall be subject to a continuing surveillance programme and a design organisation approval certificate shall remain valid provided that a holder of a design organisation approval—

(a) submits 90 days before a design organisation approval expiry date, appropriate application for its renewal and renewal fee as prescribed in Part 187;

(b) submits 60 days before an anniversary date of an approval, an annual currency fee as prescribed in Part 187;

(c) successfully resolves any finding reported to such design organisation pursuant to audits and inspections carried out by the Authority; and

(d) continues to meet the requirements for issuance of a design organisation approval.

(3) Failure to comply with the provisions of subregulation (2), shall result in a holder of a design organisation approval being ineligible to exercise the privileges of such approval.

(4) The Director shall notify a design organisation approval holder of any suspension in writing, and such an organisation shall immediately surrender a design organisation approval to the Director.

(5) A design organisation approval remains valid provided such approval is not voluntarily surrendered or otherwise suspended or cancelled by the Director.

(6) A design organisation approval shall not be transferable.

(7) A holder of a design organisation approval who fails to comply with requirements as prescribed in subregulation (2) or whose design organisation approval has expired, surrendered, or suspended, shall acknowledge the reasons in writing within 15 working days and shall immediately return a design organisation approval to the Director.

(8) Designs in terms of this Part may only be conducted by a holder of a current design organisation approval.

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(9) A design organisation approval issued in terms of this Subpart shall be issued at least 15 days before expiry of current design organisation approval.

(10) In case of delays in the processing of an approval of a design organisation in terms of subregulation (9), the Director may elect to issue a temporary approval provided that there is no safety concern and the application requirements are met. ".

Amendment of Part 148 of the Regulations

30. Part 148 of the regulations is hereby amended by:

(a) the substitution for the List of Regulations of the following List of Regulations:

"SUBPART 2: APPROVAL OF MANUFACTURING ORGANISATION

148.02.1 Approval requirements
148.02.2 Application
148.02.3 Issue of approval
148.02.4 Quality system
148.02.5 Manual of procedure
148.02.6 Changes to **[the]** organisation
148.02.7 Changes in location
148.02.8 Transferability
148.02.9 Terms of approval
148.02.10 Changes to **[the]** terms of approval
148.02.11 **[Period of validity]** Validity and status of Manufacturing Organisation approval
148.02.12 Privileges
148.02.13 Duties of approval holders
148.02.14 Renewal of approval
148.02.15 Drug and substance abuse management plan";

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(b) the substitution for regulation 148.02.11 of the following regulation:

"**Validity and status of manufacturing organisation approval**

148.02.11 (1) A manufacturing organisation approval shall be valid for a period determined by the Director, and such a period shall not exceed five years, calculated from the date of issuance.

(2) A manufacturing organisation approval holder shall be subject to a continuing surveillance programme, and a manufacturing organisation approval shall remain valid provided that a holder of a manufacturing organisation approval shall—

(a) submit 90 days before a manufacturing organisation approval expiry date, appropriate application for its renewal and renewal fee as prescribed in Part 187;

(b) submit 60 days before date of approval, annual currency fee as prescribed in Part 187;

(c) successfully resolves any finding reported to such holder pursuant to audits and inspections carried out by the Authority; and

(d) continues to meet the requirements for the issuance of a manufacturing organisation approval.

(3) A holder of manufacturing organisation approval who fails to comply with the requirements prescribed in subregulation (2) shall be ineligible to exercise the privileges of manufacturing organisation approval.

(4) The Director shall notify a holder of a manufacturing organisation approval of a suspension in writing, and such a holder shall immediately surrender a manufacturing organisation approval to the Director.

(5) A manufacturing organisation approval remains valid provided that such approval is not voluntarily surrendered, suspended, or cancelled by the Director.

(6) A manufacturing organisation approval shall not be transferable.

(7) A holder of a manufacturing organisation approval who fails to comply with the requirements prescribed in subregulation (2) or whose manufacturing organisation approval has expired, or suspended, shall acknowledge the reasons in writing within 15 working days and

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immediately return a manufacturing organisation approval to the Director.

(8) Manufacturing in terms of this Part may only be conducted by a holder of a current manufacturing organisation approval.

(9) A manufacturing organisation approval issued in terms of this Part shall be issued at least 15 days before expiry of current approval.

(10) In case of delays in the processing of a manufacturing organisation approval in terms of subregulation (9), the Director may elect to issue a temporary manufacturing organisation approval provided that there is no safety concern and the application requirements are met. ".

(c) the insertion after regulation 148.02.14 of the following regulation:

"**Drug and substance abuse management plan**

148.02.15 (1) A holder of a manufacturing organisation approval shall develop and implement a drug and substance abuse management plan to address drug and alcohol issues in relation to potential effect on aviation safety.

(2) A plan referred to in subregulation (1) shall include elements as prescribed in Document SA-CATS 148.".

Amendment of Part 149 of the Regulations

31. Part 149 of the regulations is hereby amended by:

(a) the substitution for the List of Regulations of the following List of Regulations:

"SUBPART 2: APPROVAL OF AVIATION RECREATION ORGANISATION

149.02.1 Requirement of approval
149.02.2 Manual of procedure
149.02.3 Quality assurance system
149.02.4 Personnel requirements
149.02.5 Resource requirements
149.02.6 Application for approval or amendment thereof
149.02.7 Issuing of approval

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149.02.8 Scope of approval
149.02.9 **[Period of validity]** Validity and status of approval
149.02.10 Transferability
149.02.11 Changes in quality assurance system
149.02.12 Renewal of approval
149.02.13 Duties of holder of approval
149.02.14 Technical and regulatory data
149.02.15 Records
149.02.16 Operational and maintenance procedures";

(b) the substitution for regulation 149.02.9 of the following regulation:

"**Validity and status of approval**

149.02.9 (1) An ARO approval shall be valid for a period determined by the Director, and such a period shall not exceed five years, calculated from the date of issuance.

(2) An ARO approval holder shall be subject to a continuing surveillance programme, and an ARO approval shall remain valid for a period not exceeding five years provided that an ARO approval holder —

(a) submits 90 days before expiry date of approval, an appropriate application for its renewal and renewal fee as prescribed in Part 187;

(b) submits 60 days before anniversary date of approval, an annual currency fee as prescribed in Part 187;

(c) successfully resolves any finding reported pursuant to audits and inspections carried out by the Authority; and

(d) continues to meet the requirements for issuance of an ARO approval.

(3) An ARO approval holder who fails to comply with the requirements prescribed in subregulation (2) shall be ineligible to exercise the privileges of ARO approval.

(4) The Director shall notify an ARO approval holder of suspension in writing and such ARO approval holder shall immediately surrender an ARO approval to the Director.

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(5) An ARO approval shall remain valid provided such approval is not voluntarily surrendered or otherwise suspended or cancelled by the Director.

(6) An ARO approval holder who fails to comply with the requirements as prescribed in subregulation (2) or whose ARO approval has expired, surrendered, or suspended, shall return such ARO approval to the Director within 15 working days of the date of expiration or surrender.

(7) An operation in terms of this Part may only be conducted by a holder of a current ARO approval.

(8) An ARO approval issued in terms of this Part shall be issued at least 15 days before expiry of current ARO approval.

(9) In case of delays in approval of an ARO in terms of subregulation (8), the Director may elect to issue a temporary ARO approval provided that there is no safety concern and the application requirements are met.".

Amendment of Part 171 of the Regulations

32. Part 171 of the Regulations is hereby amended by the substitution for regulation 171.01.1 of the following regulation:

"**171.01.1** (1) This **[part prescribes]** Part provides for the—

(a) regulatory requirements and standards for the approval of **[organisations]** Electronic Services Organisations that intend to provide, operate, and maintain aeronautical telecommunications used for air traffic services, and radio-navigation services used for air navigation; **[and]**

(b) operating and technical standards for aeronautical telecommunication services used for **[air traffic services]** ATS, and aeronautical radio-navigation services used for air navigation; and

(c) requirements for approval of Electronic Services Organisations.".

Amendment of Part 172 of the Regulations

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33. Part 172 of the Regulations is hereby amended by:

(a) the substitution for the List of Regulations of the following List of Regulations:

"SUBPART 1: GENERAL
172.01.1 Applicability
172.01.2 Allocation of air traffic services
172.01.3 Providing of **[an]** ATS at own initiative
172.01.4 Requirement for ATSU approval
172.01.5 Display of ATSU approval
172.01.6 Safety inspections and audits
172.01.7 Register of approvals
172.01.8 Substitute ATS provider
172.01.9 Peer support programme";

(b) the insertion in regulation 172.01.2 after subregulation (3) of the following subregulation:
"(4) Carriage of ACAS by aircraft in a given area shall not be a factor in determining a need for ATS in that area.";

(c) the substitution for regulation 172.01.4 of the following regulation:

"**172.01.4** (1) **[No]** An ATSU shall not provide air traffic services including—

(a) aerodrome control services;
(b) approach control services;
(c) area control services;
(d) approach surveillance services;
(e) area surveillance control services;
(f) flight information services; and
(g) aerodrome flight information service,

in those portions of airspace and an aerodrome determined by the Director in terms of regulation 172.01.2, except under the authority of and in accordance with the provisions of an ATSU approval issued under this Part.

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(2) An initial ATSU approval shall be processed in the following manner:

(a) a need for the provision of ATS or discontinuation thereof shall be submitted to the Director for approval and shall be initiated by a letter of intent followed by a formal application; and

(b) a formal application shall be accompanied by the following:

(i) fees as prescribed for in Part 187;

(ii) a manual of procedure;

(iii) a detailed business case which is inclusive of a safety case and risk assessment; and

(iv) a transition plan in line with the requirements provided in Part 172.

(3) Upon approval by the Director of a manual procedure, detailed business case and transition plan in terms of this Part, an audit of the ATSU shall be conducted.

(4) Once an audit in terms of subregulation (3) is successfully conducted, the Director shall issue an ATSU approval certificate for a period of six months.

(5) The Authority shall conduct a follow-up inspection within a period of six months to verify compliance with Parts 65, 140, and 172.

(6) Once the Director is satisfied with the outcome of a follow-up inspection, the Director may extend a validity period of an ATSU approval certificate for a further period of 12 months.";

(d) the insertion after regulation 172.01.8 of the following regulation:

"**Peer support programme**

172.01.9 (1) An ATS provider shall ensure access to a proactive and non-punitive peer support programme and such access shall be made available to an ATS licence-holder and safety sensitive employee as prescribed in Document SA CATS 140.

(2) A peer support programme referred to in subregulation (1) shall protect the confidentiality of exchanged data of persons involved and such protection of confidentiality shall be a precondition for an effective peer support programme.".

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Amendment of Part 173 of the Regulations

34. Part 173 of the Regulations is hereby amended by:

(a) the substitution for the List of Regulations of the following List of Regulations:

"SUBPART 1: GENERAL

173.01.1 Applicability

173.01.2 Requirement for approval

173.01.3 Display of **[flight procedure design]** approval

173.01.4 Safety inspections and audits

173.01.5 Ratings

173.01.6 Register of approvals

173.01.7 Training and checking

173.01.8 Quality assurance system

173.01.9 Facilities and equipment

173.01.10 Application for approval or amendment of **[a flight procedure design]** approval

173.01.11 **[Issuing]** Issuance of **[a]** Instrument Flight Procedure design or Validation approval

173.01.12 Period of validity of **[a]** Instrument Flight Procedure Design or Validation approval

173.01.13 Renewal of **[a]** Instrument Flight Procedure Design or Validation approval

173.01.14 Documents and records";

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(a) substitution in regulation 173.01.1 for subregulation (1) of the following subregulation:

"**173.01.1** (1) This **[part]** Part applies to—

(a) **[the]** design, ground validation, flight validation, maintenance, revision, and amendment **[and adaptation]** of instrument flight procedures; and

(b) **[the]** approval and operation of organisations conducting instrument flight procedure design, instrument flight procedure validation, maintenance, revision, and amendment **[or adaptation]**.";

(b) the substitution for regulation 173.01.2 of the following regulation:

"**173.01.2** An organisation shall not, without an approval and appropriate rating and in accordance with the provisions of such approval issued under this Part, —

(a) design, maintain, or amend instrument a flight procedure; or

(b) validate an instrument flight procedure.";

(c) the substitution for regulation 173.01.3 of the following regulation:

"Display of **[flight procedure design approval]** Approval

173.01.3 [The]A holder of **[a flight procedure design approval]** an instrument flight procedure design approval or an instrument flight procedure validation approval shall display such approval in a prominent place, generally accessible to the public at such holder's principal place of business and, if a copy of **[the applicable]** such approval is displayed, shall produce **[the]** original approval to an authorised officer, **[inspector]** inspector, or authorised person if so requested by such officer, **[inspector]** inspector, or person.";

(d) the substitution for regulation 173.01.4 of the following regulation:

"**173.01.4** (1) An applicant for **[a flight procedure design approval]** an instrument flight procedure design approval or an instrument flight procedure validation approval shall permit an authorised officer, **[inspector]** inspector, or

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authorised person to carry out such safety inspections and audits which may be necessary to verify the validity of any application made in terms of this Part.

(2) **[The]** A holder of **[a flight procedure design approval]** an instrument flight procedure design approval or instrument flight procedure validation approval shall permit an authorised officer, **[inspector]** 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.

(3) **[The]** A holder of **[a flight procedure design approval]** an instrument flight procedure design approval or instrument flight procedure validation approval, as the case may be, shall permit an authorised officer, **[inspector]** inspector, or authorised person to—

(a) observe the practices and procedures of **[the]** a holder in performing an instrument flight procedure design or validation;

(b) inspect and test any **[systems]** system and equipment used for, or in relation to, an instrument flight procedure design or validation.";

(e) the substitution for regulation 173.01.5 of the following regulation:

"**173.01.5** The ratings for instrument flight procedure design and ground validation approval are—

(a) conventional procedures; and

(b) performance-based navigation procedures.";

(f) the substitution in regulation 173.01.7 for subregulation (1) of the following subregulation:

"**173.01.7** (1) **[The]** A holder of **[a flight procedure design approval]** an instrument flight procedure design approval or instrument flight procedure validation approval shall establish and maintain a training and checking programme for all personnel referenced in this Subpart that will ensure such personnel are adequately trained and qualified to perform their assigned duties.";

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(h) the substitution for regulation 173.01.9 of the following regulation:

"**173.01.9** (1) **[The]** An applicant for an instrument flight procedure design approval or instrument flight procedure validation approval shall satisfy the Director that it has facilities and equipment necessary to perform adequately **[the]** an approved scope of **[a flight procedure design approval]** an instrument flight procedure design or instrument flight procedure validation, including—

(a) providing premises and equipment appropriate for **[the applicant's]** personnel to perform **[flight procedure design]** instrument flight procedure design or instrument flight procedure validation taking into account the critical effect that human factors can have on the quality of the work of the personnel; and

(b) ensuring that those employees have access to all necessary data for designing or validating instrument flight procedures.

(2) **[The]**An applicant shall, if an aeronautical database and aeronautical data is utilised for designing or validating flight procedures, have, and put into effect, procedures as prescribed in Document SA-CATS 173 and approved by the Director to ensure the integrity of the database and the data.";

(i) the substitution of regulation 173.01.10 for the following regulation:

Application for approval or amendment of [a flight procedure design] approval

"**173.01.10** (1) An application for **[a]** an instrument flight procedure design approval or instrument flight procedure validation approval, or **[an]** amendment thereof, shall be —

(a) made to the Director in the appropriate prescribed form; and

(b) accompanied by—

(i) the appropriate fee as prescribed in Part 187; and

(ii) **[the]** operations manual referred to in regulations 173.02.1 and 173.03.1 as applicable.

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(2) In the case where an applicant was previously issued with **[a]** an instrument flight procedure design or validation approval, and **[the]** such approval was **[cancelled]** revoked, **[the applicant]** an application shall include **[with the application any]** information to prove that **[the]** an applicant would be in a position to comply with all requirements pertaining to **[the]** design or validation of instrument flight procedures of the rating or ratings concerned.";

(j) the substitution in regulation 173.01.11 for subregulation (1) and (2) of the following subregulations:

"Issuance of [a] an Instrument Flight Procedure design or Validation approval

173.01.11 (1) The Director may issue **[a]** an instrument flight procedure design approval or instrument flight procedure validation approval if the Director is satisfied that—

(a) **[the]** an applicant meets the requirements prescribed in this Part;

(b) **[the]** an applicant's personnel required by this Part are competent personnel;

(c) **[the]** an applicant's senior personnel have not held a senior position in an organisation whose approval was **[cancelled]** revoked by the Director or the Minister; and

(d) the granting of the approval is not contrary to the interests of aviation safety.

(2) **[The]** An instrument flight procedure design or instrument flight procedure validation approval referred to in subregulation (1) shall contain—

(a) **[the]** an organisation's name and principal place of business;

(b) the rating or ratings covered by **[the]** an approval;

(c) any **[conditions]** condition applicable to **[the]** such approval;

(d) the effective date of an approval **[date when the approval becomes effective]**; and

(e) any other information that the Director deems necessary.";

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(k) the substitution in regulation 173.01.12 for subregulation (1) the following subregulation:

"Period of validity of [a] Instrument Flight Procedure Design or Validation approval

"**173.01.12** (1) **[A]** An instrument flight procedure design approval or instrument flight procedure validation approval is valid for 12 months **[the period of one year]**, calculated from the date of **[issuing]** issuance **[or renewal thereof]**.";

(l) the substitution in regulation 173.01.13 for subregulation (1) of the following subregulation:

"Renewal of **[a]** Instrument Flight Procedure Design or Validation approval

"173.01.13 (1) An application for the renewal of **[a]** an instrument flight procedure design approval or instrument flight procedure validation approval, shall be—…;"

(m) the substitution regulation for regulation 173.01.14 of the following regulation:

"**173.01.14** (1) **[The]** A holder of **[a]** an instrument flight procedure design approval or instrument flight procedure validation approval, shall—

(a) keep copies of all relevant documents as prescribed in Document SA-CATS 173—

(i) for the specified instrument flight procedure design or instrument flight procedure validation conducted by such holder; and

(ii) to determine compliance with the appropriate requirements prescribed in this **[subpart]** Subpart; and

(b) establish procedures to control the documents referred to in paragraph *(a)*.

(2) **[The]** A holder of **[the]** an approval referred to in subregulation (1) shall establish procedures to identify, collect, index, store and maintain all records which may be necessary—

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(a) for **[the]** a specified instrument flight procedure design or instrument flight procedure validation conducted by such holder; and

(*b*) to determine compliance with the appropriate requirements prescribed in this **[subpart]**Subpart.

(3) The procedures referred to in **[subregulation (3)]** subregulation (2) shall **[be made to]** ensure that—

(a) a record is kept of each quality control review of **[the]** a holder of **[the]** an approval;

(b) a record is kept of each person who conducts **[the]** a specified instrument flight procedure design or instrument flight procedure validation, including particulars of the competence assessments and experience of each such person;

(*c*) a record is kept of each student being trained or assessed by **[the]** a holder of **[the]** an approval, including particulars of enrolment, attendance, modules, instructor comments and any design or similar practical **[sessions]** session and assessment of each such student;

(*d*) records are legible; and

(*e*) records are kept for the period specified per type of record as prescribed in Document SA-CATS 173, calculated from the date of the last entry made in such records.";

(n) the substitution in Subpart 173 in the List of Regulations of the following List:

"SUBPART 3: APPROVAL OF INSTRUMENT FLIGHT PROCEDURE **[DESIGN]** GROUND VALIDATION ORGANISATION (CATEGORY B)

173.03.1 Operations manual

173.03.2 Personnel requirements

173.03.3 Privileges

173.03.4 Duties of approval holder

[173.03.5 Transferability of maintenance of flight procedures]";

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(o) substitution in regulation 173.03.1 for subregulation (1) of the following subregulation:

"**173.03.1** (1) An applicant for **[a]** an instrument flight procedure **[design]** ground validation approval in terms of this **[subpart]** Subpart shall provide the Director with its operations manual which—

(*a*) complies with the requirements prescribed in this subpart; and

(*b*) contains the information prescribed in Document SA-CATS 173;

(*c*) shall be subject to approval as prescribed in Document SA-CATS 173.";

(p) the substitution for regulation 173.03.2 of the following regulation:

"**173.03.2** (1) An applicant for instrument flight procedure ground validation approval shall employ—

(a) a chief validator of an organisation concerned, who shall have the authority to ensure that ground validation activities undertaken by an organisation are carried out in accordance with the applicable requirements as specified in this Subpart, and shall be vested with the following powers and responsibilities:

(i) right of access to design and validation work undertaken by the employees of an organisation;

(ii) right to consult with any person with respect to compliance with this Subpart;

(iii) right to suspend any validation activity where such compliance is not effected;

(iv) right to report directly to the accountable manager in terms of Part 140 with respect to any investigation and consultation conducted;

(v) responsibility to establish a liaison mechanism with the Authority in order to facilitate contact and ascertain a correct manner of interpreting and achieving compliance with the regulations; and

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(vi) responsibility to ensure that any instrument flight procedure ground validation provided for in an organisation's approval is performed in a manner as prescribed in Document SA-CATS 173;

(b) supervisory personnel, if an applicant intends to provide on-the-job training to ground validators, who may also act as a chief designer; and

(c) sufficiently qualified ground validators to conduct ground validation of the instrument flight procedures that are provided for in an approval.

(2) A chief validator referred to in subregulation (1) shall meet the minimum requirements prescribed in Document SA-CATS 173.

(3) If an applicant for instrument flight procedure ground validation approval employs any person as supervisory personnel, such a person shall meet the minimum requirements prescribed in Document SA-CATS 173.

(4) A qualified ground validator shall meet the minimum requirements prescribed in Document SA-CATS 173.

(5) A chief validator appointed in terms of this regulation may only be appointed after notification to the Director.

(6) An applicant shall establish a procedure for–

(a) initially assessing and maintaining the competence of personnel involved in planning validation activities; and

(b) supervising ground validation activities provided for in an approval as prescribed in Document SA-CATS 173.

(7) If an applicant for instrument flight procedure ground validation intends to also hold an instrument flight procedure design approval in terms of Subpart 1, such applicant shall ensure that—

(a) a chief designer and a chief validator are separate and different persons; and

(b) a chief designer and chief validator work independent of each other in terms of operational activities and hierarchy.";

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(q) the substitution for regulation 173.03.3 of the following regulation:

"**173.03.3** The privileges of **[a]** an instrument flight procedure **[design]** ground validation approval issued in terms of this **[subpart]** Subpart are limited to instrument flight procedure **[design]** ground validations for which **[the]** an approval is rated. **[and are—**

(a) to adapt to the conservative a flight procedure for use by South African registered aircraft operating at, or in the vicinity of an aerodrome in a foreign country, as prescribed in Document SA-CATS 173;

(b) to design, maintain, review or amend a flight procedure for use by South African registered aircraft operating at, or in the vicinity of an off-shore installation located no closer than 30 NM from the nearest land.]";

(r) the substitution for regulation 173.03.4 of the following regulation:

"**173.03.4** (1) **[The]** A holder of **[a]** an instrument flight procedure **[design]** ground validation approval shall—

(a) keep at least one complete and current copy of its operations manual referred to in regulation 173.03.1 at each **[work place]** workplace specified in **[the]** such operations manual;

(b) comply with all procedures detailed in **[the]** an operations manual;

(c) continue to comply with **[the]** appropriate requirements prescribed in this Part; **[and]**

(d) ensure that flight procedures are validated **[designed, reviewed, amended and adapted]** as prescribed in Document SA-CATS 173; and

(e) make those parts of an operations manual required for personnel to carry out their duties available to such personnel.

(2) In performing instrument flight procedure ground validation **[design, the]**, a holder of **[a]** an instrument flight procedure **[design]** ground

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validation approval shall **[design, adapt and verify each flight procedure as prescribed in Document SA-CATS 173.]** —

(a) validate each instrument flight procedure as prescribed in Document SA-CATS 173;

(b) return each instrument flight procedure to a responsible instrument flight procedure design organisation after ground validation for submission to the Director for approval, as prescribed in Document SA-CATS 173; and

(c) adhere to the approval process prescribed in Document SA-CATS 173.

(3) **[The holder of a flight procedure design approval shall, subject to regulation 173.03.5, maintain each flight procedure or adaptation thereof upon the conditions prescribed in Document SA-CATS 173.]** A holder of an instrument flight procedure ground validation approval shall ensure that instrument flight procedure ground validation is conducted subject to conditions prescribed in Document SA-CATS 173.

[(4) If the holder of a flight procedure design approval ceases to be responsible for the maintenance of a flight procedure, the holder shall give written notice to that effect to the Director as soon as practicable after ceasing to perform the flight procedure design concerned.].".

(s) the deletion of regulation 173.03.5.

(t) the insertion in the List of Regulations after Subpart 3 of the following List of Regulations:

"SUBPART 4: FLIGHT VALIDATION ORGANISATION (CATEGORY C)
173.04.1 Operations Manual
173.04.2 Personnel requirements
173.04.3 Privileges
173.04.4 Duties of approval holder";

(u) the insertion after Subpart 3 of the following Subpart:

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"SUBPART 4: FLIGHT VALIDATION ORGANISATION (CATEGORY C)

173.04.1 Operations Manual

(1) An applicant for a flight validation approval in terms of this Subpart shall provide the Director with an operations manual which—

(a) complies with the requirements provided in this Subpart; and

(b) contains information prescribed in Document SA-CATS 173.

(2) An operations manual, and each amendment thereto shall be submitted to the Director for approval.

173.04.2 Personnel requirements

(1) An applicant for a flight validation approval shall employ−

(a) a flight validation pilot to whom contractual authority has been granted to ensure that all activities undertaken by an organisation are carried out in accordance with the requirements prescribed in Document SA-CATS 173, and who shall be vested with powers and duties in respect of compliance with such requirements to−

(i) report directly to management of an organisation on his or her investigations and consultations generally, and with regard to results of liaison referred to in subparagraph (ii);

(ii) establish liaison mechanisms with the Director with a view to ascertain a correct manner of compliance and interpretations of such requirements and facilitate liaison between the Director and an organisation; and

(iii) ensure that flight validations covered by an approval are performed as prescribed in Document SA-CATS 173;

(b) supervisory personnel, if an applicant intends to provide in-service flight procedure design training to a pilot; and

(c) enough qualified flight validation pilots to plan and validate instrument flight procedures that are covered by an approval.

(2) A flight validation pilot referred to in subregulation (1) shall meet the minimum requirements as prescribed in Document SA-CATS 173.

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(3) If an applicant for flight validation approval intends to provide in-service training to a flight validation pilot, a supervisory personnel referred to in subregulation (1) shall be as prescribed in Document SA-CATS 173.

(4) An applicant for flight validation approval shall notify the Director of an appointment of a flight validation pilot within 30 days of employing such a person.

(5) An applicant for flight validation approval shall establish a procedure for initially assessing and maintaining, competence of personnel involved in flight validation activities covered by an approval, as prescribed in Document SA-CATS 173.

(6) If an applicant for a flight validation approval intends to hold an instrument flight procedure design approval and an instrument flight procedure ground validation approval, such applicant shall ensure that—

(a) a chief designer, a chief validator, and a flight validation pilot are separate and different persons; and

(b) a chief designer, chief validator and flight validation pilot are independent of each other in terms of operational activities and authority.

173.04.3 Privileges

(1) The privileges of a flight validation approval issued in terms of this Subpart are limited to flight validation of flight procedure designs as specified in an approval.

173.04.4 Duties of approval holder

(1) A holder of a flight validation approval shall—

(a) ensure that an operations manual is—

(i) available to the personnel who require it to perform their duties;

(ii) amended in terms of the procedure prescribed in such manual;

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(iii) amended in terms of the requirements of this Part and a copy of an amendment is submitted to the Director for approval; and

(iv) is kept current and up to date at all times.

(b) make such amendments to the operations manual as the Director may consider necessary in the interests of aviation safety;

(c) comply with all the procedures detailed in the operations manual;

(d) validate each instrument flight procedure as prescribed in Document SA-CATS 173;

(e) submit each flight validation package to the Director for approval as prescribed in Document SA-CATS 173; and

(f) ensure that a flight procedure submitted is accompanied by appropriate fee as prescribed in Part 187.".

Amendment of Part 175 of the Regulations

35. Part 175 of the Regulations is hereby amended by the substitution in regulation 175.03.2 for subregulation (4) of the following subregulation:

"(4) An AIS provider and data originator shall comply with data quality **[specifications]** requirements as prescribed in Document SA-CATS 175"."

Amendment of Part 177 of the Regulations

36. Part 177 of the Regulations is hereby amended by:

(a) the substitution for the list of regulations of the following list of regulations:

"SUBPART 1: GENERAL

177.01.1 Applicability

177.01.2 Requirements for approval

177.01.3 Aeronautical cartography design standards

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177.01.4 Safety inspections and audits
177.01.5 Register of certificates
177.01.6 Display of Aeronautical Charting Service Provider certificate

SUBPART 2: REQUIREMENTS FOR APPROVAL OF AERONAUTICAL CHARTING SERVICE PROVIDER

177.02.1 Manual of procedure
177.02.2 Quality assurance system
177.02.3 Personnel requirements
177.02.4 Facility requirements
177.02.5 Application for approval or amendment of Aeronautical Charting Service Provider certificate
177.02.6 Issuing of certificate
177.02.7 Period of validity and Aeronautical Charting Service Provider certificate
177.02.8 Renewal of Aeronautical Charting Service Provider certificate
177.02.9 Documentation
177.02.10 Duties of holder of **[aeronautical cartography]** Aeronautical Charting Service Provider certificate";

(b) the substitution in regulation 177.01.1 for subregulation (1) of the following subregulation:

"**177.01.1** (1) This Part applies to—

(a) the design, maintenance, **[revision]**, or amendment **[or adaptation]** of aeronautical charts for publication in the **[IAIP]** Aeronautical Information Product; and

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(b) the approval and operations of an organisation providing aeronautical cartography design, and **[maintenance**, **revision],** amendment **[or adaptation]** services for aeronautical charts.

(2) This Part does not apply to an organisation providing aeronautical cartography design, maintenance, revision, amendment or adaptation services for charts not published in the **[IAIP]** Aeronautical Information Product.";

(c) the substitution for regulation 177.01.2 of the following regulation:

"**177.01.2 [No]** An organisation shall not design, maintain, **[review, amend]** amend, or adapt aeronautical charts except under the authority of, and in accordance with the provisions of, an aeronautical cartography certificate issued under this Part.";

(d) the substitution for heading in regulation 177.01.6 of the following heading:

"Display of Aeronautical Charting Service Provider certificate";

(e) the substitution for heading of Subpart 2 of the following heading:

"SUBPART 2: REQUIREMENTS FOR APPROVAL OF AERONAUTICAL CHARTING SERVICE PROVIDER";

(f) the substitution in regulation 177.02.3 for subregulation (1) subparagraph(a)(i) of the following subparagraph:

"**177.02.3** (1) An applicant for the issuing of an aeronautical cartography certificate shall engage, employ or contract—

(*a*) adequately trained personnel to—

(i) design, maintain **[, revise]**, or amend **[or adapt]** aeronautical chart services listed in its manual of procedure; and

(ii) perform quality assurance checks and verification of aeronautical chart as listed in its manual of procedure.";

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(f) the substitution for heading in regulation 177.02.5 of the following heading:

"Application for approval or amendment of Aeronautical Charting Service Provider certificate";

(g) the substitution for heading in regulation 177.02.7 of the following heading:
"Period of validity and Aeronautical Charting Service Provider certificate";

(h) the substitution for heading in regulation 177.02.8 of the following heading:
"Renewal of Aeronautical Charting Service Provider certificate";

(i) the substitution in regulation 177.02.10 for subregulation (1) of the following subregulation:
"**Duties of holder of aeronautical cartography certificate**
177.02.10(1) A holder of an aeronautical cartography certificate shall –

(a) comply with all procedures and standards detailed in the manual of procedure;

(b) make each applicable part of the manual of procedure available to personnel who require those parts to carry out their duties; **[and]**

(c) continue to meet the standards and comply with the requirements of this **[part]** Part; and

(d) ensure that any suspension or withdrawal of an aeronautical chart, as well as amendment to the contents of an aeronautical chart, are submitted to the Director for approval prior to publication.".

Amendment of the Regulations

37. **Substitution of certain words and expressions**

The regulations are hereby amended by the substitution for the word "touring glider" wherever it occurs in Part 68 of the regulations of the word "touring motor glider".

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Short Title and Commencement

These Regulations are called the Thirty-third Amendment of Civil Aviation Regulations, 2026 and shall come into operation upon Publication in the Government Gazette, save for Part 92, which shall come into operation upon the Proclamation by the President of the Civil Aviation Amendment Act, 2021 (Act No. 22 of 2021).

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DEPARTEMENT VAN VERVOER

NO. 7844 **21 Augustus 2026**

WET OP BURGERLUGVAART, 2009 (WET NR. 13 VAN 2009)

DRIE-EN-DERTIGSTE WYSIGING VAN DIE BURGERLUGVAARTREGULASIES, 2026

(Die Engelse teks is die amptelike teks van die Regulasies)

Ek, Barbara Creecy, Minister van Vervoer, maak hierby, ingevolge artikel 155(1) van die Wet op Burgerlugvaart, 2009 (Wet Nr. 13 van 2009), die Regulasies uiteengesit in die Bylae hieronder.

Mev. Barbara Creecy, MP
Minister van Vervoer
Datum: 12 August 2026

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BYLAE

WET OP BURGERLUGVAART, 2009 (WET NR. 13 VAN 2009)

DRIE-EN-DERTIGSTE WYSIGING VAN DIE BURGERLUGVAARTREGULASIES, 2026

ALGEMENE VERDUIDELIKENDE NOTA:

[ ] Woorde in vetdruk tussen vierkantige hakies dui weglatings uit bestaande regulasies aan.

_____ Woorde wat met 'n soliede lyn onderstreep word, dui invoegings in bestaande regulasies aan.

Definisies

In hierdie Bylae beteken “die Regulasies” die Regulasies vir Burgerlugvaart, 2011 gepubliseer deur Goewermentskennisgewing Nr. R. 425 gedateer 1 Junie 2012, soos gewysig. Die regulasies is aanvanklik op 1 Junie 2012 uitgevaardig en het op 1 Augustus 2012 in werking getree. Die regulasies is sedertdien deur die Minister van Vervoer soos volg gewysig:

(a) 30 Julie 2013 (Eerste, Tweede, Derde en Vierde Wysigings);
(b) 7 Maart 2014 (Vyfde Wysiging);
(c) 1 Oktober 2014 (Sesde Wysiging);
(d) 22 Desember 2014 (Sewende Wysiging);
(e) 27 Mei 2015 (Agtste Wysiging);
(f) 1 September 2015 (Negende Wysiging);
(g) 30 Oktober 2015 (Tiende Wysiging);
(h) 30 Desember 2015 (Elfde Wysiging);
(i) 24 Desember 2015 (Twaalfde Wysiging);
(j) 12 Februarie 2016 (Dertiende Wysiging);
(k) 28 Oktober 2016 (Veertiende Wysiging);

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(l) 5 Mei 2017 (Vyftiende Wysiging);
(m) 19 Mei 2017 (Sestiende Wysiging);
(n) 29 Mei 2017 (Sewentiende Wysiging);
(o) 12 Januarie 2018 (Agtiende Wysiging);
(p) 21 Oktober 2018 (Negentiende Wysiging),
(q) 1 Mei 2019 (Twintigste Wysiging);
(r) 1 April 2020 (Twee-en-twintigste Wysiging);
(s) 30 September 2021 (Drie-en-twintigste Wysiging);
(t) 15 November 2021 (Een-en-twintigste Wysiging);
(u) 10 Mei 2022 (Vier-en-twintigste Wysiging);
(v) 17 Maart 2023 (Vyf-en-twintigste en Ses-en-twintigste Wysiging);
(w) 13 April 2023 (Sewende-en-twintigste Wysiging);
(x) 20 Oktober 2023 (Agt-en-twintigste Wysiging);
(y) 28 Junie 2024 (Negen-en-twintigste Wysiging);
(z) 08 Augustus 2024 (Dertigste Wysiging);
(aa) 01 April 2025 (Twee-en-dertigste Wysiging);
(bb) Een-en-dertigste Wysiging - (Gepromulgeer op 28 Maart 2025 en wag op proklamasie van die Wysigingswet op Burgerlugvaart van 2021, behalwe vir Deel 139 wat op 1 April 2025 in werking getree het); en
(cc) Vier-en-dertigste Wysiging – (Afgekondig op 30 Januarie 2026 en tree op 1 April 2026 in werking).

Wysiging van Deel 1 van die Regulasies

1. Regulasie 1.01.1 van die regulasies word hierby gewysig deur—

(a) die invoeging na die definisie van "verstelbare skroef" van die volgende definisie:

“**"gevorderde vliegtuig"** beteken 'n vliegtuig met bykomende toerusting bo en behalwe die toerusting wat vir 'n basiese vliegtuig vereis word vir 'n gegewe opstyg-, naderings- of landingsoperasie;”;

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(b) die invoeging na die definisie van “vliegtuig"van die volgende definisie:"
“‘ooreenkoms opsomming’ beteken 'n dokument wat saam met die Artikel 83 bis-ooreenkoms gestuur word wanneer sodanige ooreenkoms by die ICAO-raad geregistreer word om funksies en pligte te identifiseer wat deur 'n Staat van Registrasie na 'n ander staat oorgedra word;”;

(c) die vervanging van die definisie van "alternatiewe vliegveld" met die volgende definisie:

“‘alternatiewe vliegveld’ beteken ’n vliegveld waarheen ’n vliegtuig mag voortgaan wanneer dit onmoontlik of onraadsaam word om voort te gaan na of te land by ’n vliegveld van beoogde landing **[en sluit die volgende in]** wat operasioneel is op die verwagte tyd van gebruik, waar die nodige dienste en fasiliteite beskikbaar is, waar aan vliegtuigprestasievereistes voldoen kan word en, kan die volgende insluit:

(a) 'n opstyg-alternatief, wat 'n alternatiewe vliegveld is waar 'n vliegtuig kan land indien dit kort na opstyg nodig word en dit nie moontlik is om 'n vertrekvliegveld te gebruik nie;

(b) alternatiewe onderweg, wat 'n alternatiewe vliegveld is waar 'n vliegtuig sou kon land **[nadat dit 'n abnormale of noodtoestand onderweg ervaar het]** indien 'n omleiding nodig word terwyl dit onderweg is;

(c) ETOPS-en-roete-alternatief, wat 'n geskikte en gepaste alternatiewe vliegveld is waar 'n vliegtuig sou kon land nadat dit 'n enjinafskakeling of ander abnormale of noodtoestand ervaar het terwyl dit onderweg was in 'n ETOPS-operasie; en

(d) alternatiewe bestemmingsvliegveld, wat 'n alternatiewe vliegveld is waarheen 'n vliegtuig kan voortgaan indien dit onmoontlik of onraadsaam word om by 'n vliegveld van beoogde landing te land.

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Let wel: *'n Vliegveld vanwaar **[’n vlug]**'n vliegtuig vertrekke kan ook 'n onderweg- of 'n bestemmingsalternatiewe vliegveld vir daardie **[vlug]** vliegtuig wees:”;*

(d) die invoeging na die definisie van “outomatiese afhanklike toesig – uitsending"van die volgende definisie:"

“**'outomatiese ontplooibare vlugopnemer'** beteken 'n gekombineerde vlugopnemer wat op 'n vliegtuig geïnstalleer is en wat outomaties vanaf 'n vliegtuig kan ontplooi;”;

(e) die invoeging na die definisie van “Basislyn-CAA” van die volgende definisie:

“**'basiese vliegtuig'** beteken 'n vliegtuig wat die minimum toerusting het wat nodig is om die beoogde opstyg-, naderings- of landingsoperasie uit te voer;”;

(f) die vervanging van die definisie van "deurlopende afdaling finale benadering (CDFA)" met die volgende definisie:

“'deurlopende daling finale nadering [(CDFA)]' beteken 'n tegniek, in ooreenstemming met gestabiliseerde naderingsprosedures, vir die vlieg van die finale naderingssegment van 'n nie-presisie-instrumentnaderingsprosedure as 'n deurlopende daling, sonder afvlakking, vanaf 'n hoogte of hoogte op of bokant die finale naderingsvaste **[hoogte/hoogte]** hoogte of hoogte tot 'n punt ongeveer 50 voet (15 m) bokant die landingsbaandrempel of die punt waar die opvlammaneuver **[moet begin]** begin vir die tipe vliegtuig wat gevlieg word**[;]** , vir die FAS van 'n NPA-prosedure gevolg deur 'n sirkelnadering, is die CDFA-tegniek van toepassing totdat sirkelnaderingsminima OCA/H of visuele vlugmaneuverhoogte of -hoogte bereik word;”;

(g) die vervanging van die definisie van “huidige vlugplan" van die volgende definisie:"

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"**'huidige vlugplan'** beteken **[die lugverkeersdiens]** 'n ATS -vlugplan **[, insluitend veranderinge, indien enige, wat aangebring is]** wat veranderinge aan 'n ingediende vlugplan deur daaropvolgende klarings weerspieël;";

(h) die skrapping van die definisie van "gestremde passasier";

(i) die vervanging van die definisie van "plig" van die volgende definisie:"

"**'diens'** beteken enige taak wat 'n bemanningslid of lugverkeerdiens personeel deur 'n lugdiens operateur of lugvaartdiens verskaffer (ANSP) vereis word om uit te voer, insluitend, na gelang van die geval, tyd-in-posisie, vlugdiens, administratiewe werk, opleiding, posisionering en bystand wanneer so 'n taak waarskynlik moegheid sal veroorsaak;";

(j) die vervanging van die definisie van "ingediende vlugplan" met die volgende definisie:

"**'ingediende vlugplan'** beteken die jongste vlugplan soos ingedien deur 'n vlieënier, 'n lugdiensoperateur of 'n aangewese verteenwoordiger, vir gebruik deur 'n lugverkeerdienseenheid;

Nota: *Die FPL dui op 'n ingediende vlugplan wat uitgeruil is met behulp van 'n vaste lugvaartdiens, terwyl eFPL 'n ingediende vlugplan aandui wat uitgeruil is met behulp van FF-ICE-dienste. Die eFPL maak voorsiening vir die uitruil van bykomende inligting wat nie in die FPL vervat is nie.*";

(k) die vervanging van die definisie van "vlugplan" met die volgende definisie:

"**'vlugplan'** beteken gespesifiseerde inligting met betrekking tot 'n beoogde vlug of gedeelte van 'n vlug van 'n vliegtuig;

Nota 1: *Die term vlugplan kan voorafgegaan word deur die woorde "voorlopig", "ingedien", "huidig" of "operasioneel" om die konteks en verskillende stadiums van 'n vlug aan te dui.*

Nota 2: *Wanneer die woord "boodskap" as 'n agtervoegsel vir hierdie term gebruik word, dui dit die inhoud en formaat van'nvlugplandata soos oorgedra.";*

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(l) die vervanging van die definisie van "gevaar" met die volgende definisie:
"**'gevaar'** beteken **['n situasie of 'n voorwerp met die potensiaal om die dood of besering van 'n persoon, skade aan toerusting of 'n struktuur, verlies van materiaal, of 'n vermindering van die vermoë om 'n voorgeskrewe funksie te verrig, te veroorsaak]** 'n toestand of 'n voorwerp met die potensiaal om 'n vliegtuigvoorval of -ongeluk of sy ondersteuningspersoneel of insittendes te veroorsaak of daartoe by te dra;";

(m) die skrapping van die definisie van "gestremde passasier";

(n) die invoeging na die definisie van "lyngerigte vlugopleiding" van die volgende definisie:"
"**'lynstasie'** beteken 'n onderhoudsfasiliteit wat gebruik word om 'n aksie uit te voer wat verpligtend of vereis word om op 'n vliegtuig uitgevoer te word vir die doeleindes van 'n ommekeer, 'n roetekontrole of 'n transitokontrole, en is beperk tot defekte wat herstel kan word deur die vervanging van lynvervangbare eenhede;";

(o) die invoeging na die definisie van "verlore C2-skakeltoestand" van die volgende definisie:"
"**'lae-sigbaarheidsoperasies'** beteken naderingsoperasies in RVR's minder as 550 m en met 'n DH minder as 200 vt (60 m) of opstygoperasie in RVR's minder as 400 m;";

(p) die invoeging na die definisie van "operasionele beheer" van die volgende definisie:
"**'operasionele krediet'** beteken 'n krediet wat gemagtig is vir operasies met 'n gevorderde vliegtuig wat 'n laer vliegveldbedryfsminimum moontlik maak as wat normaalweg vir 'n basiese vliegtuig gemagtig sou word, gebaseer op die

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werkverrigting van gevorderde vliegtuigstelsels wat die beskikbare eksterne infrastruktuur gebruik;";

(q) die vervanging van die definisie van "bedryfspesifikasies" van die volgende definisie:

"**'bedryfspesifikasies'** beteken die magtigings, insluitend spesifieke goedkeurings, voorwaardes en beperkings wat verband hou met [die lugvaartoperateursertifikaat] 'n AOC, [of] QMS of [instandhoudingsorganisasie] AMO en onderhewig aan die voorwaardes in die bedryfshandleiding of prosedurehandleiding;

Nota: [Bedryfspesifikasies] *OpSpec vorm deel van 'n AOC*;";

(r) die invoeging na die definisie van "vrag" van die volgende definisies:

"**'eweknie-vrywilliger'** met betrekking tot 'n eweknie-ondersteuningsprogram, beteken 'n opgeleide persoon wat professionele kwalifikasies of ervaring deel en geestesgesondheidsondersteuning bied aan 'n persoon wat hulp van 'n eweknie-ondersteuningsprogram soek.

Nota: *Dit mag dalk 'n persoon wees wat in dieselfde organisasie werk as 'n persoon wat hulp van 'n ondersteuningsprogram soek, of nie.*;";

"**'prestasiegebaseerde vliegveldbedryfsminimum'** beteken 'n laer vliegveldbedryfsminimum, vir 'n gegewe opstyg-, naderings- of landingsoperasie, wat beskikbaar is wanneer 'n basiese vliegtuig gebruik word;

Nota 1: *Die PBAOM word afgelei deur die gekombineerde vermoëns van 'n vliegtuig en beskikbare grondfasiliteite in ag te neem. Bykomende riglyne oor PBAOM kan gevind word in die Handleiding van Alle-Weather Operasies (Dok 9365).*

Nota 2: *PBAOM kan gebaseer wees op operasionele krediete.*

Nota 3: *PBAOM is nie beperk tot PBN-bedrywighede nie;";*

(s) die invoeging na die definisie van "periode van operasionele diens" van die volgende definisie:

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"**'persoon met gestremdheid'** beteken 'n persoon wie se mobiliteit verminder is as gevolg van 'n fisiese ongeskiktheid, insluitend sensoriese of lokomotoriese, intellektuele tekortkoming, ouderdom, siekte of enige ander oorsaak van gestremdheid;";

(t) die vervanging van die definisie van "punt van geen terugkeer"van die volgende definisie:

"**'punt van geen terugkeer'** beteken die laaste moontlike geografiese punt waar 'n **[vliegtuig]**-vliegtuig na **[die]** 'n bestemmingsvliegveld sowel as na 'n beskikbare alternatiewe vliegveld onderweg vir 'n gegewe vlug kan vlug;"

(u) die invoeging na die definisie van "inligtingsbulletin voor die vlug"van die volgende definisie:"

"**"Voorlopige vlugplan'** beteken die inligting met betrekking tot 'n vlug wat deur 'n lugdiensoperateur of sy aangewese verteenwoordiger ingedien word om gesamentlike beplanning van 'n vlug uit te voer, voordat 'n vlugplan ingedien word;";

(v) die vervanging van die definisie van "pro-tem ondersoeker" met die volgende definisie*:*

"**'pro-tem ondersoeker'** beteken 'n persoon wat as sodanig deur die **[Direkteur]** aangewys is Uitvoerende verantwoordelik vir die ondersoek van Vliegtuigongelukke en -Voorvalle in terme van regulasie12.01.5 om 'n IIC in die aanvanklike fases van 'n ondersoek by te staan;";

(w) die skrapping van die definisie van "herhalende vlugplan";

(x) die vervanging van die definisie van "vereiste kommunikasieprestasie" met die volgende definisie:

"**'vereiste kommunikasieprestasie'** beteken 'n **[verklaring van die prestasievereistes vir operasionele kommunikasie ter ondersteuning van spesifieke ATM-funksies;]** stel vereistes vir ATS-voorsiening en gepaardgaande grondtoerusting, vliegtuigvermoë en bedrywighede wat nodig is om prestasiegebaseerde kommunikasie te ondersteun;";

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(y) die invoeging na die definisie van “veiligheidsrisiko"van die volgende definisie:
“'veiligheidsensitiewe werknemer' beteken 'n persoon wat lugvaartveiligheid in gevaar kan stel indien sodanige persoon 'n plig en funksie onbehoorlik verrig en sluit 'n vlieënier, tegniese lugbemanning, kajuitbemanning, vliegtuigonderhoudspersoneel en lugverkeerdienspersoneel in;”;

(z) die invoeging na die definisie van “Satelliet-ATO” van die volgende definisie:
“**'satellietstasie'** beteken 'n onderhoudsfasiliteit wat gebruik word vir die uitvoering van onderhoud ingevolge Deel 145-goedkeuring en op 'n ander plek as'nhoofbasis of hoofplek van besigheid, maar vorm 'n integrale deel van 'n AMO;";

(aa) dievervanging virdie definisie van “spesifieke goedkeuring"van die volgende definisie:"
“**'spesifieke goedkeuring'** beteken 'n goedkeuring wat in die OpSpec vir kommersiële lugvervoerbedrywighede of in die lys van spesifieke goedkeurings vir nie-kommersiële bedrywighede gedokumenteer is;”;

(bb) die invoeging na die definisie van “Staat van die Operateur"van die volgende definisie:
“**‘Staat van die hoofligging van 'n algemene lugvaartoperateur’** beteken 'n Staat waarin 'n lugdiensoperateur van 'n algemene lugvaartvliegtuig sy hoofplek van besigheid het of, indien daar geen sodanige plek van besigheid is nie, sy permanente verblyfplek;”;

(cc) die invoeging na die definisie van “aanvullende tipesertifikaat" van die volgende definisie:"
“**'toesig'** beteken 'n aktiwiteit wat die Owerheid proaktief deur inspeksie en oudits verifieer dat 'n lugvaartlisensie-, sertifikaat-, magtiging- of goedkeuringhouer steeds aan die toepaslike vereistes en funksies op die vereiste vlak van bevoegdheid en veiligheid voldoen;”;

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(dd) die vervanging van die definisie van “drempeltyd"van die volgende definisie:
“**'drempeltyd'** beteken die reikwydte, uitgedruk in tyd, wat deur **[die Staat van die operateur] 'n Staat van** die Operateur tot 'n alternatiewe vliegveld onderweg vasgestel is, waarvolgens enige tyd daarna 'n spesifieke goedkeuring vir EDTO-**[goedkeuring]** van **[die]** sodanige Staat **[van die operateur]** vereis;”;

(ee) die vervanging van die definisie van "toermotorsweeftuig" met die volgende definisie:
“**‘toermotorsweeftuig’** beteken 'n **[vliegtuig]** vliegtuig met 'n maksimum totale massa van nie meer as 850 kilogram wat met 'n enjin toegerus is en die eienskappe van 'n sweeftuig het wanneer die enjin onwerkend is, wat hoofsaaklik beheer word deur die manipulasie van sy primêre vlugbeheeroppervlaktes deur konvensionele metodes **[en ander klassifikasieparameters soos gedefinieer in Dokument SA-CATS 24]**;”;

(ff) die invoeging na diedefinisievan “onbemande vliegtuigstelsel"van die volgende definisie:
“**'onbemande vryballon'** beteken 'n nie-kragaangedrewe, onbemande ligter-as-lug vliegtuig in vryvlug;”;

(gg) dievervanging van die definisie van "validering" met die volgende definisie:
"**'validering'** beteken:
(a) 'n magtiging wat op 'n lisensie aangebring is en deel daarvan vorm om een van die volgende uit te oefen:

(i) 'n spesifieke gradering by 'n spesifieke ATSU; of

(ii) die voorregte van 'n buitelandse lisensie waaraan dit geheg is, wat spesiale voorwaardes, voorregte of beperkings met betrekking tot sodanige gradering bevat, na gelang van die geval;

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(b) met betrekking tot Deel 173:

(i) 'n bevestiging, deur die verskaffing van objektiewe bewyse, dat aan die vereistes vir 'n spesifieke beoogde gebruik of toepassing voldoen is; en

(ii) 'n aktiwiteit waardeur 'n data-element nagegaan word as 'n waarde wat ten volle van toepassing is op die identiteit wat gegee word aan die data-element of stel data-elemente wat nagegaan word as aanvaarbaar vir die doel;";"

(hh) die vervanging van die definisie van "verifikasieverslag" met die volgende definisie:

"**'verifikasieverslag'** beteken 'n dokument **[uitgereik]** wat deur 'n verifikasieliggaam saamgestel is en wat 'n verifikasie **[verklaring]** mening en vereiste ondersteunende **[inligting]** dokumentasie bevat;".

2. Regulasie 1.01.2 van die regulasies word hierby gewysig deur—

(a) die invoeging na die afkorting van "DTO" van die volgende afkorting:
"**'DUE'** beteken 'n aangewese onbemande vliegtuigstelselondersoeker;";

(b) die invoeging na die afkorting van "EFIS" van die volgende afkorting:
"**'eFPL'** beteken elektronies ingediende vlugplan;";

(c) die invoeging na die afkorting van "FAWP" van die volgende afkorting:
"**'FDP'** beteken vlugdiensperiode;";

(d) die invoeging na die afkorting van "FDR" van die volgende afkorting:
"**'FF-ICE'** beteken vlug- en vloei-inligting vir 'n samewerkende omgewing;":

(e) die invoeging na die afkorting van "FOP" van die volgende afkorting:
"**'VPL'** beteken 'n ingediende vlugplan;";

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(f) die invoeging na die afkorting "PAR" van die volgende afkorting:
"**'PBAOM'** beteken prestasiegebaseerde vliegveldbedryfsminimum;";

(g) die invoeging na die afkorting van "PNF" van die volgende afkorting:
"**'PNR'**" beteken 'n punt van geen terugkeer nie;";

(h) die invoeging na die afkorting van "RDH" van die volgende afkorting:
"**'RFFS'** beteken reddings- en brandbestrydingsdiens;".

Wysiging van Deel 21 van die Regulasies

3. Deel 21 van die regulasies word hierby gewysig deur:

(a) die vervanging van die opskrif in Subdeel 10 met die volgende opskrif:
"SUBDEEL 10: GOEDKEURING VAN INGEVOERDE VLIEGTUIE, ONDERDELE EN TOESTELLE **[: INVOER]**
21.10.1 Goedkeuring
21.10.2 Aanvaarding van Tipesertifikaat
21.10.3 Vereistes virdie invoer van 'n vliegtuigomdie Republiek";

(b) die invoeging na regulasie 21.10.2 van die volgende regulasie:
"Vereistes vir invoer**'n vliegtuig nadie Republiek**
21.10.3 (1) 'n Persoon wat 'n vliegtuig in die Republiek wil invoer, moet die volgende dokumente indien met betrekking tot 'n vliegtuig waarvoor 'n Suid-Afrikaanse lugwaardig heidsertifikaat verlang word:

(a) 'n sertifikaat of kennisgewing van kansellasie van 'n toepaslike owerheid van 'n Staat waarin 'n vliegtuig laas geregistreer is, of 'n sertifikaat of kennisgewing van nie-registrasie van 'n toepaslike owerheid van 'n Staat waaruit 'n vliegtuig ingevoer word;
(b) 'n uitvoer-lugwaardigheidsertifikaat of bestaande lugwaardigheidsertifikaat, geldig of verval, soos van toepassing;

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(c) 'n gesertifiseerde verklaring uitgereik deur 'n vervaardiger, 'n goedgekeurde lugvaartonderneming of 'n voormalige lugdiensoperateur ten effekte dat verpligte wysigings en spesiale inspeksies uitgevoer is;

(d) 'n lys van ingebedde STC's, diensbulletin en goedgekeurde groot wysigings aan die produk;

(e) 'n lys van lugwaardigheidsriglyne wat uit 'n vervaardiger se Ontwerpstaat opgeneem is;

(f) 'n lys van items op 'n produk wat tyd of lewensduur beperk is;

(g) 'n afskrif van 'n vliegtuigmassa- en balansverslag en toerustinglys wat die massas en momentarms van die hoofkomponente en geïnstalleerde toerusting toon;

(h) huidige vervaardiger se vliegtuig plug handleiding;

(ek) huidige vliegtuig toerusting lys;

(j) 'n afskrif van instruksies vir voortgesette lugwaardigheid, insluitend 'n onderhoud beplanningsdokument of onderhoudshandleiding, en 'n dokument met lugwaardigheidsbeperkings, soos van toepassing;

(k) 'n afskrif van 'n lugromp-, enjin-, skroef- en hulpkrageenheidlogboek en vrystelling van die laaste werkswinkelbesoek, soos van toepassing;

(l) 'n afskrif van 'n vervaardiger se produksietoetsvlugverslag vir 'n vliegtuig wat van 'n fabriek afgelewer is; en

(m) 'n elektriese lasanalise korrek ingevul en opgedateer.".

Wysiging van Deel 61 van die Regulasies

4. Deel 61 van die Regulasies word hierby gewysig deur—

(a) die vervanging in die lys van regulasies vir Subdeel 2 van die volgende Subdeel:

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"SUBDEEL 2:
STUDENT-VLIENIERSLISENSIE EN GEÏNTEGREERDE STUDENT-VLIENIERS LISENSIE"

61.02.1 Vereistes vir **[’n]** SPL of ISPL
61.02.2 Aansoek vir **[’n]** SPL of ISPL
61.02.3 **[Uitreiking]** Uitreiking van **[’n]** SPL of ISPL
61.02.4 Geldigheid van [’n] SPL of ISPL
61.02.5 Voorregte en beperkings van **[’n]** SPL of ISPL
61.02.6 Graderings vir spesiale doeleindes vir **[’n]** SPL of ISPL
61.02.7 **[Beëindiging van vlugopleiding]** Stadige vordering en bystandsprogram
61.02.8 Beëindiging van studente-opleiding";

(b) die vervanging van regulasie 61.02.1 met die volgende regulasie:

"STUDENT-VLIENIERSLISENSIE EN GEÏNTEGREERDE STUDENT-VLIENIERSLISENSIE"

Vereistes vir [’n] SPL of ISPL

61.02.1 'n Aansoeker vir **['n]** SPL of ISPL moet—

(a) 15 jaar of ouer wees **[, behalwe waar anders bepaal in Deel 62]**;

(b) 'n geldige mediese sertifikaat besit wat uitgereik is ingevolge Deel 67;

(c) vir die uitreiking van 'n SPL,geregistreer wees by 'n ATO **[goedgekeurde lugvaartopleidingsorganisasie vir opleiding vir 'n PPL]**; en

(d) vir die uitreiking van 'n ISPL, geregistreer wees by 'n ATO wat goedgekeur is vir die uitvoering van geïntegreerde opleiding.";"

(c) die vervanging van regulasie 61.02.2 met die volgende regulasie:
"**Aansoek vir [’n] SPL of ISPL**

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61.02.2 (1) **[Die]** ’n Aansoek om **[’n]** SPL of ’n ISPL moet by die Direkteur ingedien word **[op]** die toepaslike vorm en moet die volgende insluit:

(a) 'n naam en nommer van 'n ATO waar 'n aansoeker geregistreer is; en

(b) *'n gepaste vliegtuig by naam waarop opleiding sal plaasvind, met dien verstande dat 'n student vlieënier tot drie tipes vliegtuie beperk sal word.*

(2) Die vorm waarna in subregulasie (1) verwys word, moetvergesel word deur—

(a) 'n afskrif van 'n ID of paspoort van 'n aansoeker, soos van toepassing;

(b) 'n onlangse paspoortgrootte foto van 'n aansoeker;

(c) 'n geldige mediese sertifikaat uitgereik ingevolge Deel 67; en

(d) die toepaslike fooi soos voorgeskryf in Deel 187.

(3) In die geval waar 'n houer van 'n SPL of 'n ISPL na 'n ander ATO oordra, moet so 'n houer aansoek doen vir die heruitreiking van 'n SPL of 'n ISPL by die Direkteur.";"

(d) die vervanging van regulasie 61.02.3 met die volgende regulasie:

“**[Uitreiking] Uitreiking van [’n] SPL of ISPL**

61.02.3 (1) Die Direkteur moet 'n SPL of 'n ISPL **[in die toepaslike voorgeskrewe vorm, soos deur die Direkteur,]** uitreik indien 'n aansoeker voldoen aan die vereistes **[waarna in regulasie verwys word].61.02.2]** prbeskryfin hierdie subdeel.

(2) By ontvangs van **[die]** 'n SPL of 'n ISPL, moet **[die]** 'n houer onmiddellik sy of haar handtekening daarop in ink aanbring in die spasie wat vir daardie doel voorsien word.

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(3) 'n SPL of 'n ISPL moet geëndosseer word met'nnaam van 'n ATO waar'n houeris geregistreer.

(4) Onderwerpaan die bepalings van subregulasie (5), Die opleiding van 'n houer van 'n SPL of 'n ISPL mag slegs onder die beskerming van 'n ATO plaasvind waar sodanige houer tans geregistreer is.

(5) Waar 'n GOO nie in staat is of nie goedgekeur is om 'n spesifieke opleidingskomponent aan te bied nie, kan 'n leerlingvlieënier na 'n ander goedgekeurde GOO verwys word, mitssulkeverwysing

(a) word slegs gedoen met die doel om 'n gespesifiseerde opleidingskomponent te verskaf;

(b) word gedoen deur die toepaslike vorm te voltooi; en

(c) voldoen aan die verwysingsprosedure voorgeskryf in Dokument SA-CATS 61.";

(e) die vervanging van regulasie 61.02.4 met die volgende regulasie:

"**Geldigheid van [’n] SPL of ISPL**

61.02.4 [(1) A] 'n SPL of 'n ISPL is geldig vir 'n tydperk van **[2 jaar]** 24 maande vanaf die datum van uitreiking, mits die jaarlikse geldeenheids fooi **[betaal word]**.

[(2) Die houer van 'n geldige SPL mag nie die voorregte van daardie lisensie uitoefen nie, tensy hy of sy –

(a) in besit is van 'n geldige mediese sertifikaat, wat aan hom of haar uitgereik is ingevolge Deel 67; en

(b) het 'n afskrif van die mediese sertifikaat by die lisensie-owerheid ingedien, soos vereis in regulasie 61.01.6 (6),in die geval dat die lugvaart mediese ondersoeker nie in staat is om elektroniese data aan die Direkteur voor te lê nie]";

(f) die vervanging van regulasie 61.02.5 met die volgende regulasie:

"**Voorregte en beperkings van [’n] SPL of ISPL**"

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61.02.5 (1) **[Die]** 'n Houer van 'n geldige SPL mag **[slegs]** solo vlieg soos voorgeskryf in Dokument SA-CATS 61, **[op die ouderdom van 16 of meer, met die doel om opleiding te doen vir die toepaslike vlieënierlisensie]** met die doel om opleiding te doen vir die uitreiking van 'n PPL in die toepaslike kategorie, mits –

(a) **[in die tipe vliegtuig waarin hy of sy opleiding ondergaan soos onderskryf in sy of haar logboek]** sulkehouer is 16 jaar of ouer;

(b) **[na 'n vooraf skriftelike magtiging daarvoor vir 'n vlug, of 'n reeks vlugte, soos voorgeskryf in die betrokke kurrikulum en al sulke vlugte is onder toesig van die houer van 'n toepaslike en geldige vlieginstrukteur-gradering, of 'n persoon wat deur die Hoofvlieginstrukteur aangestel is, mits sodanige persoon die houer van ten minste 'n PPL is]** 'n vliegtuigmodel waarin 'n solovlug word uitgevoer word onderskryf in 'n logboek van sodanige SPL-houer;

(c) **[sonder om enige passasiers te vervoer]** 'n passasier word nie aan boord van 'n vliegtuig vervoer nie; en

(d) **[op 'n vlug anders as 'n internasionale vlug]** 'n Vlug word binne die grense van die Republiek uitgevoer, in VMC bedags. **[; en]**

[*(e)* in VMC bedags.]

(2) **[Ondanks die bepalings van subregulasie (1), mag 'n student wat die geïntegreerde opleiding ondergaan, ook die voorregte van sy of haar SPLIC uitoefen].** 'n Houer van 'n geldige ISPL mag die voorregte van 'n SPL uitoefen en sodanige houer mag—

(a) **[Bedryf]** opereer in VMC snags, mits so 'n persoon **[indien hy of sy 'n houer is]** 'n **[geldige]** naggradering besit;

(b) in IMC as 'n student-PIC opereer onder toesig van 'n vlieginstrukteur wat in besit is van 'n instrumentvluginstrukteur-endossement; en **[werk onder IFR, indien hy of sy 'n houer van 'n geldige instrumentgradering is; en]**

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(c) 'n studentvlieënier dra wat geïntegreerde opleiding by dieselfde ATO ondergaan, slegs vir die doel van navigasievlugopleiding, en mits sodanige houer gemagtig is deur 'n Graad I- of Graad II-vluginstrukteur soos bepaal in'nopleidings- en prosedurele handleiding van'nATO.

(3) Behalwe in 'n noodgeval, mag 'n leerling vlieënier nie 'n vliegtuig land **[of opstyg] [vanaf]** op 'n gebied anders as 'n vliegveld nie.

(4) Indien 'n leerlingvlieënier 'n noodlanding met 'n vliegtuig in 'n gebied anders as 'n vliegveld uitgevoer het, mag slegs **[die]** houer van 'n CPL of ATPL, of 'n ander vlieënier wat skriftelik deur die Direkteur vir die doel goedgekeur is, daardie vliegtuig uit daardie gebied vlieg."

(g) die vervanging van regulasie 61.02.6 met die volgende regulasie:
"**Graderings vir spesiale doeleindes vir ['n SPL] ISPL**"

61.02.6 [(1)] ['n Leerlingvlieënier wat die geïntegreerde opleiding ondergaan, kan opleiding ondergaan vir, en aansoek doen vir, 'n nagvlieëniergradering.] 'n ISPL kan met 'n nagvlieëniergradering geëndosseer word in ooreenstemming met hierdie Deel.

[(2) 'n Aansoek vir die naggradering moet ingevolge die bepalings van Subdeel 14 gedoen word.";

(h) die vervanging van regulasie 61.02.7 met die volgende regulasie:

"**[Beëindiging van vlugopleiding] Stadige vordering en bystandsprogram**

61.02.7 (1) In 'n geval waar 'n leerlingvlieënier aansienlik stadige vordering toon, moet 'n Lugvaartorganisasie (LVO) betyds 'n bystandsprogram implementeer.

(2) 'n Bystandsprogram waarna in subregulasie (1) verwys word, moet ontwerp word om die oorsaak van 'n vertraag vordering en implementeer korrektiewe maatreëls om 'n student vlieënier by te staan, soos voorgeskryf in Dokument SA-CATS 61.

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(3) In die geval waar 'n leerling vlieënier wat onderhewig is aan 'n bystandsprogram 80 vlugure voltooi het sonder om 'n PPL te bekom, moet die vaardigheidstoets vir 'n PPL deur 'n DFE afgelê word.

(i) die invoeging na regulasie 61.02.7 van die volgende regulasie:
"**Beëindiging van studente-opleiding**

61.02.8 (1) Beëindiging vanopleiding van 'n student vlieënier deur 'n lugvaart organisasie (ATO) moet gedoen word in ooreenstemming met 'n ATO se opleidings- en prosedure handleiding.

(2) 'n Lugvaart organisasie moet verslag doenbeëindiging van 'n student vlieënier se opleidingaan die Direkteur in 'n gepaste vorm soos voorgeskryf in Dokument SA-CATS 61.

(3) Die rapportering waarna in subregulasie (2) verwys word, vervang nie enige verpligte of veiligheidsverwante rapporteringsvereistes wat in die Regulasies bepaal word nie.".

Wysiging van Deel 65 van die Regulasies

5. Deel 65 van die regulasies word hierby gewysig deur –

(a) die vervanging van Subdeel 13 van die Lys van Regulasies met die volgende Lys van Regulasies:

"ONDERDEEL 13:

GRAAD EEN LUGVERKEERDIENSINSTRUKTEUR (BEDRYFS) GRAAD

65.13.1	Vereistes vir Graad Een lugverkeersdiensinstrukteur (operasionele) gradering
65.13.2	Opleiding
65.13.3	Aansoek om die uitreiking van 'n Graad Een-lugverkeersdiensinstrukteur (operasionele) gradering
65.13.4	Uitreiking van Graad Een lugverkeersdiensinstrukteur (operasionele) gradering

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65.13.5 Vereistes vir validering van Graad Een **[lugverkeersdiens]** ATS-instrukteur (operasionele) gradering

65.13.6 Aansoek om validering van Graad Een lugverkeersdiensinstrukteur (operasionele) gradering

65.13.7 Validering van Graad Een lugverkeersdiensinstrukteur (operasionele) gradering

65.13.8 Voorregte van Graad Een lugverkeersdiensinstrukteur-operasionele gradering

65.13.9 Duur van validering of hernuwing

65.13.10 Hernuwing van Graad Een lugverkeersdiensinstrukteur (operasionele) gradering";

(b) die vervanging van regulasie 65.13.5 met die volgende regulasie:

"**Vereistes vir die validering van Graad Een [lugverkeersdiens] ATS-instrukteur (operasionele) gradering**"

65.13.5 (1) 'n Aansoeker vir die validering van 'n Graad Een ATS-instrukteur (operasionele) gradering moet in besit wees van—

(a) ten minste twee jaar praktiese ondervinding as óf 'n LVB óf as 'n LVB-assistent in die toepaslike gradering by 'n LVB-eenheid waarvoor 'n gradering gevalideer is, en

(b) 'n Minimum van een jaar ondervinding as 'n Graad Twee ATS-instrukteur.

(2) 'n Aansoeker vir die validering van 'n Graad Een ATS-instrukteur (operasionele) gradering vir 'n aanvanklike ATSU-goedkeuring moet—

*(a)*ten minste drie jaar huidige operasionele ervaring in die diens waarvoor aansoek gedoen word en ten minste twee jaar huidige instrukteur ervaring hê;

(b) het suksesvol teoretiese opleiding op plaaslike vliegveld voltooi, soos stasie staan instruksies, vliegvelduitleg en lugruimkennis;

(c) 25 uur gesimuleerde opleiding suksesvol voltooi het;

(d) 'n validerings assessering suksesvol voltooi het wat deur 'n paneel gemmating inspekteurs,

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veiligheidsbestuursverteenwoordigers van die ANSP en aangewese eksaminatore uitgevoer is.

(3) 'n ANSP moet—

(a) hou 'n rekord van opleiding by; en

(b) gereelde kontroles uit te voer om te verseker dat die vereiste standaarde gehandhaaf word.";"

(c) die vervanging van regulasie 65.14.5 met die volgende regulasie:

"**65.14.5** (1) 'n Aansoeker vir die validering van 'n Graad Twee ATS-instrukteur (operasionele) gradering moet—

(a) in die geval van 'n ATS-assistent-instrukteur, ten minste ses maande praktiese ondervinding hê in die toepaslike gradering by 'n ATSU waarvoor 'n gradering gevalideer is; en

(b) in die geval van 'n LVB-instrukteur, ten minste 12 maande praktiese ondervinding hê in 'n toepaslike gradering by 'n LVB-eenheid waarvoor 'n graderingis bekragtig.

(2) 'n Aansoeker vir die validering van 'n Graad Twee ATS-instrukteur (operasionele) gradering vir 'n aanvanklike ATSU-goedkeuring moet—

(a) ten minste drie jaar huidige operasionele ervaring in die diens waarvoor aansoek gedoen word en ten minste twee jaar huidige instrukteur ervaring hê;

(b) het suksesvol teoretiese opleiding op plaaslike vliegveld voltooi, soos stasie staan instruksies, vliegvelduitleg en lugruimkennis;

(c) 25 uur gesimuleerde opleiding suksesvol voltooi het; en

(d) 'n validerings assessering suksesvol voltooi het wat deur 'n paneel gemagtigde inspekteurs, veiligheidsbestuursverteenwoordigers van die ANSP en aangewese eksaminatore uitgevoer is.

(3) 'n ANSP moet—

(a) hou 'n rekord van opleiding by; en

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(b) gereelde kontroles uit te voer om te verseker dat die vereiste standaarde gehandhaaf word.".

Wysiging van Deel 66 van die Regulasies

6. Deel 66 van die Regulasies word hierby gewysig deur:

(a) die vervanging van die Lys van Regulasies met die volgende Lys van Regulasies:

"ONDERDEEL 1: ALGEMEEN
66.01.1 Toepaslikheid
66.01.2 Magtiging om as vliegtuig onderhoudsingenieur op te tree
66.01.3 Klasse van lisensies
66.01.4 Groepe lugrompe en enjins
66.01.5 Kategorieë van graderings
66.01.6 Bevoegdheid
66.01.7 Gebruik van alkohol en dwelms
66.01.8 Taal
66.01.9 Validering van lisensie uitgereik deur toepaslike owerheid
66.01.10 Register van lisensies
66.01.11 Aanwysing van eksaminatore
66.01.12 Herbenoeming as **[aangewese eksaminator (DE)]** EDE
66.01.13 Register van **[aangewese eksaminatore (DE)]** EDE's
66.01.14 Opleiding
66.01.15 Logboeke";

(b) die vervanging van regulasie 66.01.12 met die volgende regulasie:

"**Herbenaming as [Aangewese Eksaminator (DE)] EDE**"

66.01.12(1) 'n Aansoeker om herbenoeming as **[aangewese eksaminator]** moet 'n EDE op die voorgeskrewe vorm doen nie minder nie as 90 dae voor die

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begin van die maand waarin die benoeming verval **[, tesame met die fooi soos voorgeskryf in Deel 187]**.

(2) Die indiening van so 'n aansoek gee nie outomaties die aansoeker die reg om die voorregte van 'n **[ED]** 'n EDE na die vervaldatum voort te sit nie.

(3) Die Direkteur kan die **[benaming]** herbenaming uitreik indien **[die]** 'n aansoeker onderhewig was aan die toesig onder beskerming van die **[owerheid]** Owerheid voorgeskryf in subregulasie 66.01.11 en bygewoon het'njaarlikse EDE-konferensie of -seminaar wat deur die Owerheid georganiseer word.

(4) Die vereistes vir herbenaming as 'n EDE word voorgeskryf in Dokument SA-CATS 66.";

(c) die vervanging van regulasie 66.01.13 met die volgende artikel:

"**Register van [DE se] EDE's**"

66.01.13. (1) Die Direkteur moet 'n register van **[al DE se]** EDE's byhou.

(2) Die register waarna in **[subregulasie]** subregulasie (1) verwys word, moet die volgende besonderhede bevat **[—]:**

(a) naam;

(b) kategorie en voorregte van **[die]** 'n aanwysing of goedkeuring;

(c) lisensies en graderings wat gehou word; en

(d) vervaldatum.".

Wysiging van Deel 71 van die Regulasies

7. Deel 71 van die Regulasies word hierby gewysig deur:

(a) die vervanging van die Lys van Regulasies met die volgende Lys van Regulasies:

"ONDERDEEL 1: ALGEMEEN

71.01.1 Toepaslikheid

71.01.2 Magtiging om as vlieënier op te tree

71.01.3 Kategorieë en graderings vir houer van RPC

71.01.4 Bevoegdheids- en hervalideringstoets

71.01.5 Mediese geskiktheid

71.01.6 Taal

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71.01.7 Registrasie van vlugtyd
71.01.8 Opleiding vir die verkryging van RPC of gradering
71.01.09 Onderhoud en rekordhouding van RPC
71.01.10 Endossement van vlieënierlogboek
71.01.11 Beperking van dienstydperk
71.01.12 Bedrywighede in beheerde lugruim

SUBDEELD 2: ORGANISASIE EN BELEID

71.02.1: Vereistes vir **[uitreiking van]** RPC
71.02.2: Vlugopleiding
71.02.3: Teoretiese kenniseksamen vir RPC
71.02.4: Vaardigheidstoets vir RPC
71.02.5: Betaling van valutafooi
71.02.6: Voorregte en beperkings van RPC
71.02.7: Geldigheidstydperk van RPC
71.02.8: Handhawing van bevoegdheid vir RPC

SUBDEEL 3: RPC-INSTRUKTEURGRADERING

71.03.1: Vereistes vir RPC-vluginstrukteurgradering
71.03.2: Aansoek om RPC-vluginstrukteurgradering
71.03.3: Grondevaluering en Vaardigheidstoets vir aanvanklike RPC Instrukteurgradering
71.03.4: Geldigheid en beperkings van RPC Instrukteursgradering

SUBDEELD 4: AANWYSING VAN VERSKULDIGE
71.04.1: Aanwysing as DUE deur Direkteur
71.04.2: Vereistes vir aanwysing as DUE
71.04.3: Aansoek om aanvanklike aanwysing as DUE
71.04.4: Geldigheidstydperk van DUE-aanwysing
71.04.5: Herbenoeming
71.04.6: Opskorting of terugtrekking van aanwysing

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71.04.7: Voorregte en beperkings van DUE

71.04.8: Register van Verskuldigde Belastings";

(b) vervanging van regulasie 71.01.1 deur die volgende regulasie:
"**71.01.1** (1) Hierdie Deel is van toepassing op—

(a) die uitreiking, hervalidering en heruitreiking van RPC en RPC-graderings; en

(b) UAS met betrekking tot die uitreiking, hervalidering en heruitreiking van 'n Suid-Afrikaanse RPC en gradering, instrukteurgradering, aanwysing van DUE's, en sake wat daarmee verband hou.";

(c) die vervanging van regulasie 71.01.2 met die volgende regulasie:
"**71.01.2** (1) 'n Persoon mag nie as 'n afstandvlieënier binne die Republiek optree nie, tensy sodanige persoon—

(a) **[besit 'n geldige RPC en 'n gradering in die betrokke kategorie wat ingevolge hierdie Deel uitgereik is;]** het 'n RPC-kursus by 'n goedgekeurde ATO voltooi;

(b) het **[vluginstruksie ontvang; en]** 'n vaardigheidstoets afgelê; en

(c) het **[die vaardigheidstoets suksesvol voltooi]** 'n geldige RPC en 'n gradering in die betrokke kategorie ontvang wat ingevolge hierdie Deel uitgereik is."

(d) die vervanging van regulasie 71.01.3 met die volgende regulasie:
"**71.01.3** (1) 'n RPC **[kan]** uitgereik word vir die volgende kategorieë:

(a) RPC (A): Vliegtuig;

(b) RPC (H): Helikopter; of

(c) RPC (MR): Multi-rotor.

(2) Die volgende graderings**[mei]** moet op 'n RPC geëndosseer word:

(a) VLOS;

(b) E-VLOS; of

(c) B-VLOS.";

(e) die vervanging van regulasie 71.01.4 met die volgende regulasie:

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"**71.01.4** (1) 'n Houer van 'n RPC of gradering ingevolge hiervanDeel mag nie die voorregte uitoefen wat deur 'n RPC of gradering toegestaan word nie, tensy so 'n houer bevoegdheid handhaaf deur te voldoen aan die vereistes wat in hierdie Deel uiteengesit word.

(2) **['n Hervalideringstoets vir 'n houer van 'n RPC moet binne 90 dae voor die vervaldatum van 'n RPC deur 'n gemagtigde eksaminator uitgevoer word.** 'n Houer van 'n RPC moet 'n hervalideringstoets ondergaan voor die verstryking van 'n bevoegdheid of 'n gradering, mits—

(a) so 'n houer moet binne 30 dae na sodanige hervalideringstoets by die Direkteur aansoek doen om die hervalidering van 'n bevoegdheid of 'n gradering, in 'n voorgeskrewe vorm;

(b) 'n Nuwe vervaldatum word bereken vanaf die laaste dag van die maand waarin 'n hervalideringstoets uitgevoer is; en

(c) Die Direkteur kan 'n verlenging van hoogstens 30 dae vanaf die vervaldatum van 'n bevoegdheid of 'n gradering toestaan na ontvangs van 'n aansoek vergesel van skriftelike redes wat buitengewone omstandighede verskaf.

(3) **['n Houer van 'n RPC moet, na suksesvolle voltooiing van die hervalideringstoets, die voorgeskrewe hervalideringstoetsvorm wat van tyd tot tyd op die webwerf van die Owerheid gepubliseer word, binne 30 dae na 'n hervalideringstoets by die Direkteur indien]** 'n Vaardigheidstoets vir die uitreiking van 'n RPC of gradering moet onder die beskerming van 'n ATO afgelê word en sodanige vaardigheidstoets moet deur 'n DUE afgelê word.

(4) 'n Hervalideringstoets uitgevoer ingevolge subregulasie (2) **[vir 'n houer van 'n RPC moet uitgevoer word in 'n vliegtuig van dieselfde kategorie waarvoor 'n RPC gehou word]** sal geldig wees tot die laaste dag van die 24ste maand vanaf die datum van uitreiking.

(5) 'n Hervalideringstoets **[vir 'n houer van 'n RPC sal geldig wees tot die laaste dag van die 24ste maand vanaf die datum van uitreiking]** sal

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uitgevoer word op 'n UAS van dieselfde kategorie waarvoor 'n RPC gehou word.

(6) **[Indien 'n hervalideringstoets van 'n houer van 'n RPC meer as 90 dae voor verstryking voltooi word, word 'n RPC heruitgereik op die datum van die laaste dag van die maand waarin 'n hervalideringstoets uitgevoer is, vir 'n tydperk van 24 maande.]** 'n DUE wat 'n aanvanklike vaardigheidstoets of hervalideringstoets aflê, moet 'n logboek van 'n aansoeker of vlieënier endosseer soos voorgeskryf in Dokument SA-CATS 71.

(7) Waar 'n aansoeker of vlieënier versuim om 'n aanvanklike vaardigheidstoets of hervalideringstoets te voltooi, moet 'n aansoeker of vlieënier—

(a) remediërende opleiding by 'n goedgekeurde ATO ondergaan om die standaard te bereik wat vereis word vir die toepaslike vaardigheidstoets of hervalidering; en

(b) 'n hertoets van die aanvanklike vaardigheidstoets of hervalideringstoets ondergaan wat nie binne 24 uur na versuim om te voltooi, uitgevoer mag word nie.

(8) In 'n geval waar die grond assessering van die toets suksesvol is, maar die praktiese assessering onsuksesvol is, sal 'n DUE slegs die deel wat verband hou met die praktiese assessering hertoets.

(9) 'n RPC-instrukteur wat remediërende opleiding ingevolge subregulasie (7) aangebied het, moet 'n aanbevelingsbrief aan 'n DUE uitreik voordat'nhertoets.

(10) 'n Aansoeker of vlieënier wat onsuksesvol was soos bedoel in subregulasie (7) mag nie die voorregte van sy of haar lisensie uitoefen nie.ce of gradering totdat hy of sy 'n hertoets suksesvol geslaag het.

(11) 'n Grondevaluering en die praktiese deel van 'n aanvanklike vaardigheidstoets of hervalidering kan onder onvoorsiene omstandighede op verskillende datums uitgevoer word, wat nie 'n tydperk van 30 dae oorskry nie.

(12) Waar die tydperk waarna in subregulasie (11) verwys word, 30 dae oorskry,'ngrondevaluering en praktiese deel van'ntoets sal herhaal word.

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(13) In die geval waar die praktiese deel van'ntoets nie op dieselfde datum as grondevaluering uitgevoer word nie, moet 'n DUE die omstandighede vir die verskillende datums in die voorgeskrewe vorm spesifiseer.

(14) 'n Aansoek vir die uitreiking van 'n RPC of gradering moet by die Direkteur ingedien word in 'n voorgeskrewe vorm wat binne 30 dae na voltooiing ingedien moet word.'ntoets.

(15) Die aanvanklike vervaldatum van 'n RPC of geldigheid van 'n gradering word bereken vanaf'nlaaste dag van'nmaand waarin'nvaardigheidstoets is afgelê.

(16) Indien 'n RPC-houer versuim om die vaardighede en kennis waarna in hierdie Deel verwys word tydens 'n hervalideringstoets te demonstreer, moet die Direkteur vereis dat 'n RPC-houer onmiddellik afsien van die uitoefening van die voorregte van sy of haar RPC of gradering.

(17) Waar 'n RPC-houer versuim om aan die vereistes van 'n hervalideringstoets te voldoen, moet sodanige RPC-houer—

(a) remediërende opleiding ondergaan by 'n ATO wat goedgekeur is om opleiding ingevolge hierdie Deel uit te voer;

(b) 'n nuwe aanbevelingsbrief van 'n ATO waarna in paragraaf (a) verwys word, verkry wat die inhoud van'nremediërende opleiding en dat 'n RPC-houer die standaarde bereik het wat vereis word vir hervalidering van'ntoepaslike lisensie of gradering; en

(c) ondergaan'ntoepaslike hervalideringstoets met 'n DUE wat deur die Direkteur aangestel is.

(18) 'n Persoon wie se RPC of gradering deur die Direkteur gekanselleer is, moet voldoen aan die vereistes vir die aanvanklike uitreiking van'ntoepaslike lisensie of gradering, mits'naansoek vir die uitreiking van'nlisensie of gradering mag nie binne 'n tydperk van 24 maande bereken vanaf'ndatum van kansellasie.

(19) 'n Aanvanklike vaardigheidstoets of hervalideringstoets mag nie uitgevoer word op 'n vlug wat onder 'n UASOC uitgevoer word nie.";"

(f) die vervanging van regulasie 71.01.5 met die volgende regulasie:

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"Mediese Fiksheid

"**71.01.5** (1) **['n Aansoeker vir 'n RPC ingevolge hierdie Deel moet 'n toepaslike geldige mediese sertifikaat besit wat uitgereik is ingevolge Deel 67.]** 'n RPC-houer moet 'n geldige mediese sertifikaat besit in ooreenstemming met Deel 67.";

(g) die vervanging van regulasie 71.01.7 met die volgende regulasie:

"**71.01.7** (1) 'n Houer van **['n]** 'n RPC moet 'n vlieënier logboek byhou met rekords van die volgende:

(a) vlugtyd; **[en]**

(b) ELVOS-tyd;

(c) BVLOS-tyd; en

(d) onderrigtyd.

(2) Vlugtyd mag slegs aangeteken word deur 'n houer van 'n geldige RPC en toepaslike gradering.

(3) Indien 'n houer van 'n RPC 'n elektroniese logboek gebruik en die elektroniese data elke 90 dae moet druk en indien.

(4) 'n Houer van 'n RPC moet 'n vlieënierlogboek behou vir ten minste 60 maande vanaf die datum waarop sodanige houer ophou om 'n geldige RPC te hou.

(5) 'n Houer van 'n RPC moet 'n logboek vir inspeksie voorlê op versoek van 'n gemagtigde beampte, inspekteur of gemagtigde persoon.

(6) 'n PIC-vlugtyd mag slegs deur 'n houer van 'n geldige RPC aangeteken word.

(7) Dubbele vlugtyd moet slegs aangeteken word wanneer 'n vlieënier dubbele opleiding ontvang by 'n Lugvaartorganisasie (LVO) wat goedgekeur is vir opleiding ingevolge hierdie Deel en moet 'n rekord van lugoefeninge insluit wat onderneem is.";"

(h) die invoeging na regulasie 71.01.7 van die volgende regulasies:

"**Opleiding vir die verkryging van RPC of gradering**"

71.01.8 Opleiding met die doel om 'n RPC of gradering te verkry soos vereis deur hierdie Deel, mag slegs aangebied word deur 'n houer van 'n ATO-

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goedkeuring, uitgereik ingevolge Deel 141 en soos voorgeskryf in Dokument SA-CATS 71.

Onderhoud en rekordhouding van RPC

71.01.9(1) Die Direkteur moet 'n register van RPC's en graderings wat ingevolge hierdie Deel uitgereik of bekragtig is, byhou en hou.

(2) 'n Register waarna in subregulasie (1) verwys word, moet die volgende inligting bevat wat aangeteken moet word by die uitreiking van 'n RPC, gradering of validering:

(a) volle naam van 'n houer van 'n RPC;

(b) geboortedatum;

(c) pos- en woonadresse van 'n houer van 'n RPC;

(d) datum waarop 'n RPC uitgereik is;

(e) gradering gehou deur 'n houer van 'n RPC; en

(f) nasionaliteit van 'n houer van 'n RPC.

(3) 'n RPC-houer moet die Direkteur binne 30 dae in kennis stel van enige veranderinge aan inligting waarna in subregulasie (2) verwys word.

(4) 'n Houer van 'n RPC moet die geldeenheidsfooi betaal soos voorgeskryf in Deel 187 op of voor die herdenkingsdatum van 'n RPC, soos van toepassing.

Endossement van vlieënierlogboek

71.01.10 (1) 'n RPC-houer wat aansoek wil doen vir 'n RPC-gradering of hervalidering moet'ntoepaslike endossement in sodanige houer se vlieënierlogboek, soos voorgeskryf in Dokument SA-CATS 71.

(2) 'n Endossement waarna in subregulasie (1) verwys word, moet ten minste die volgende besonderhede insluit:

(a) datum van vaardigheidstoets;

(b) UAS-registrasie en -tipe;

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(c) naam en lisensiecdie nommer van 'n DUE; en

(d) naam van 'n ATO.

(3) 'n DUE wat vaardigheidstoets of hervalideringstoets aflê, moet die voorgeskrewe vorm stempel, teken, parafeer en dateer, soos vereis, voordat dit aan die Direkteur vir verwerking voorgelê word.

(4) 'n seël waarna in subregulasie (3) verwys word, moet die volgende insluit:

(a) voorletters en van van DUE;

(b) vlieënier RPC-nommer van 'n DUE; en

(c) aanwysing van toepassing op'nVERSKULDIG, soos VERSKULDIG (A), (H), VERSKULDIG (MR); na gelang van die geval.

(5) 'n Vorm waarna in subregulasie (3) verwys word, is ongeldig indien dit die volgende bevat:sverkeerde inligting.

Beperking van dienstydperk

71.01.11 (1) Dienstydperk moet nagekom word in ooreenstemming met die operasionele vereistes van Deel 141.

(2) 'n Lugvaartorganisasie (LVO) moet 'n voorgestelde skema vir vlugtyd en dienstydperk en minimum rusperiode aan die Direkteur voorlê vir goedkeuring soos voorgeskryf in Dokument SA-CATS 141.

(3) 'n Afwyking van'ngoedgekeurde skema waarna in subregulasie (2) verwys word, moet aan die Direkteur vir goedkeuring voorgelê word.

(4) 'n Lugvaartorganisasie moet—

(a) handhaaf huidige vlugtyd- en dienstydperkrekords van vlugbemanningsledein diens van sulkeATO; en

(b) behou vlugtyd- en dienstydperkrekords vir 'n tydperk van 24 kalendermaande bereken vanaf'ndatum van'nlaaste vlug van elke vlieginstrukteur.

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(5) 'n Instrukteur wat in diens is van meer as een UASOC of ATO, of wat vlugtyd buite sy of haar indiensneming ophoop, moet 'n akkurate rekord van vlugtyd en dienstydperk byhou en 'n afskrif verskaf aan entiteite waardeur sodanige vlugbemanningslid in diens is.

(6) 'n ATO mag nie 'n RPC-instrukteur toelaat om die maksimum vlugtye van - te oorskry nie

(a) 3 uur, gedurende enige dienstydperk;

(b) 16 uur, gedurende die voorafgaande sewe dae;

(c) 50 uur, gedurende die voorafgaande dertig dae;

(d) 150 uur, gedurende die voorafgaande 90 dae; of

(e) 500 uur, gedurende die voorafgaande 365 dae.

(7) Indien 'n RPC-instrukteur verwag dat sy of haar geprojekteerde kumulatiewe vlugure vir 'n spesifieke operasie 'n toepaslike limiet sal oorskry, moet sodanige RPC-instrukteur 'n GTO dienooreenkomstig in kennis stel.

(8) 'n RPC-instrukteur moet—

(a) nie meer as sewe agtereenvolgende dae tussen dae werk nie~~s~~af;

(b) twee agtereenvolgende dae af hê in enige agtereenvolgende 14 dae;

(c) 'n minimum van ses dae af hê in enige opeenvolgende vier weke vanaf 'n hoofbasis van bedryf; en

(d) 'n gemiddeld van ten minste agt dae af hê in elke opeenvolgende vierweekperiode, gemiddeld oor drie sulke periodes.

(9) 'n Leerling by 'n ATO hoef nie onderrigklasse vir meer as agt uur per dag, of meer as ses dae of 40 uur in enige sewe-dae-periode by te woon nie.

Operasies in beheerde lugruim

71.01.12 (1) 'n Lugvaartorganisasie (LVO) mag nie 'n onbemande lugdiens (UAS) in beheerde lugruim bedryf nie, behalwe indien sodanigeoperasieword deur die Direkteur goedgekeur.

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(2) Indien die Direkteur 'n goedkeuring ingevolge subregulasie (1) verleen, moet sodanige goedkeuring, onderworpe aan voldoening aan die voorwaardes wat deur die Direkteur voorgeskryf word, wees—

(a) weerspieël in 'n ATO se goedgekeurde opleidings- en prosedurehandleiding enOpSpes; en

(b) beperk tot VMC in 'n ATZ en CTR onder 400 voet.";"

(i) die vervanging van regulasie 71.02.1 met die volgende regulasie:

"**Vereistes vir [Uitreiking van] RPC**"

71.02.1 (1) 'n Aansoek om 'n RPC moet by die Direkteurop **['n gepaste]** voorgeskrewe vorm wat op die webwerf van die Owerheid gepubliseer is, binne 30 dae na voldoening aan die vereistes in **[sub]** hierdie regulasie **[(2)]**.

(2) 'n Aansoeker van 'n RPC moet–

(a) nie wees jonger as 18 jaar oud **[of ouer]**;

(b) houvas'n mediese sertifikaat ingevolge Deel 67; **[ten minste:**

(i) 'n geldige klas 3 mediese sertifikaat vir 'n B-VLOS-operasie of klas 3 of hoër UAS-operasie; of

(ii) 'n selfverklaarde mediese assesseringsverslag soos voorgeskryf in Dokument SA-CATS 67 vir alle ander klasse of tipes operasies;]

(c) **[hou ten minste 'n beperkte lugvaartradiotelefoniesertifikaat in besit;]** die vliegopleiding waarna in hierdie Deel verwys word, voltooi het;

(d) 'n teoretiese kenniseksamen waarna in hierdie Deel verwys word, geslaag het;

(e) 'n vaardigheidstoets waarna in hierdie Deel verwys word, geslaag het; en

(f) die toepaslike fooi ingevolge Deel 187 betaal het.

(3) Die aansoek waarna in subregulasie (1) verwys word, moet vergesel word van—

(a) dokumentasie wat bewys dat 'n aansoeker 'n teoretiese kennis-eksamen waarna in regulasie 71.02.3 verwys word, geslaag het;

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(b) 'n aansoeker se vlieglogboek opgesom in die formaat soos voorgeskryf in Dokument SA-CATS 71;

(c) 'n vaardigheidstoetsverslag soos voorgeskryf in Dokument SA-CATS 71;

(d) twee onlangse paspoortgrootte foto's van 'n aansoeker; en

(e) bewys van betaling van die fooi soos voorgeskryf in Deel 187.

(4) Die Direkteur mag 'n RPC aan 'n aansoeker uitreik indien hy tevrede is dat 'n aansoeker voldoen aan die vereistes waarna verwys word insubregulasies (2) en (3).

(5) Wanneer 'n RPC uitgereik word, kan die Direkteur enige voorwaarde oplê wat nodig geag word.";

(j) die vervanging van die opskrif in regulasie 71.02.3 met die volgende opskrif: "Teoretiese kenniseksamen vir RPC";

(k) die vervanging van regulasie 71.02.3 met die volgende regulasie:

71.02.3 (1) 'n Aansoeker vir 'n RPC moet 'n teoretiese kenniseksamen aflê wat van toepassing is op die kategorie RPC waarvoor aansoek gedoen word en moet dit binne 90 dae voor 'n vaardigheidstoets aflê.

(2) 'n Teoretiese kennis-eksamen waarna in subregulasie (1) verwys word, moet afgelê word by 'n toetssentrum wat **[geakkrediteer]** is en deur die Direkteur goedgekeur is.

(3) DieDirekteurmag **[enige buitelandse teoretiese kennis-eksamen wat afgelê word, akkrediteer indien so 'n eksamen aan die vereistes van vlug voldoen,]** krediet verleen vir enige vorige opleiding of lisensie wat gehou word en elke aansoek van geval tot geval oorweeg om vas te stel of sodanige opleiding word erken deur die Direkteur.

(4) Die sillabusse en ander vereistes vir 'n teoretiese kennis-eksamen sal wees soos voorgeskryf in Dokument SA-CATS 71."

(l) die vervanging van die opskrif in regulasie 71.02.4 met die volgende opskrif: "Vaardigheidstoets vir RPC";

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(m) die vervanging van regulasie 71.02.4 met die volgende regulasie:

"**71.02.4** (1) 'n Vaardigheidstoets vir 'n RPC moet binne 60 dae na voltooiing van **['n]** vlugopleiding **[deur 'n gemagtigde eksaminator]** deur 'n DUE afgelê word.

(2) 'n Vaardigheidstoets waarna in subregulasie (1) verwys word, moet afgelê word met 'n UAS van dieselfde kategorie waarvoor 'n RPC aangevra word.

(3) 'n Houer van 'n RPC moet indien **[resultate van]** vaardighede toets uitslae binne 30 dae na aflegging van sodanige toets aan die Direkteur voorlê.

(4) 'n Vaardigheidstoets vir 'n RPC moet die toepaslike afdelings vir die **[E-VLOS insluit of B-VLOS]** gradering gesoek **[indieneen of meer van hierdie graderings isdie E-VLOS-gradering word aangevra]"**;

(n) die vervanging van regulasie 71.02.5 met die volgende regulasie:
"**71.02.5** 'n Houer van 'n RPC moet **[die]** betaal 'n jaarlikse valutafooi soos bepaal in Deel 187 op of voor die herdenkingsdatum van **[die uitreiking van sodanige]** 'n RPC.";

(o) die vervanging van die opskrif in regulasie 71.02.6 met die volgende opskrif:
"Voorregte [en geldigheid] van RPC";

(p) die vervanging van regulasie 71.02.6 met die volgende regulasie:

"**71.02.6** (1) 'n Houer van 'n RPC mag nie 'n voorreg van daardie uitoefen nieRPCtensy—

(a) hy of sy **[besit 'n geldige mediese sertifikaat soos voorgeskryf in Deel 67; en]** voldoen aan die vereistes wat in regulasie 71.02.1 uiteengesit word; en

(b) handhaaf bevoegdheid en voldoen aan die hervalideringsvereistes soos uiteengesit in hierdie Deel.

(2) 'n Houer van 'n RPC mag as 'n PIC van 'n UAS optree, mits sodanige houer—

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(a) in diens van 'n houer van 'n UASOC;

(b) die bedryf van 'n UAS ingevolge regulasie 101.01.2; of

(c) nie vergoed word vir optrede in sy of haar hoedanigheid as 'n vlieënier terwyl hy of sy 'n onbemande vliegtuig (UAS) bedryf ingevolge hierdie Deel nie."

(q) die vervanging van die opskrif in regulasie 71.02.7 met die volgende opskrif: "Geldigheidstydperk van RPC";

(r) die vervanging van regulasie 71.02.7 met die volgende regulasie:
"**71.02.7** (1) 'n RPC is geldig tot die laaste dag van die 24ste maand vanaf die datum van **[uitreiking]** uitreiking, mits−

(a) 'n geldeenheid fooi voorgeskryf in Deel 187 is betaal; en

(b) bevoegdheid word gehandhaaf in gevolge hierdie Deel.";

(s) die invoeging na Subdeel 2 van die volgende Subdele:

"SUBDEEL 3: RPC-INSTRUKTEURGRADERING"

Vereistes vir RPC Instrukteurgradering

71.03.1 (1) 'n Aansoeker vir 'n RPC-instrukteurgradering (A) moet 'n RPC (A)-lisensie besit.

(2) 'n Aansoeker vir 'n RPC-instrukteurgradering (MR) moet 'n RPC (MR)-lisensie besit.

(3) 'n Aansoeker vir 'n RPC-instrukteurgradering (H) moet 'n RPC (H)-lisensie besit.

Aansoek om RPC Instrukteurgradering

71.03.2 (1) 'n Aansoek om 'n RPC-instrukteurgradering moet—

(a) binne 30 dae na voltooiing van 'n vaardigheidstoets by die Direkteur ingedien word; en

(b) vergesel wees van die toepaslike fooi soos voorgeskryf in Deel 187.

(2) 'n Aansoeker vir 'n RPC-instrukteurgradering moet—

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(a) 'n teoretiese kenniskursus en 'n praktiese opleidingskursus voltooi by 'n ATO wat goedgekeur is om opleiding ingevolge hierdie Deel te gee; en

(b) indien 'n aansoeker 'n instrukteur-gradering ingevolge Deel 61 besit of besit het, erkenning kry vir sekere modules van die kursus soos goedgekeur deur die Direkteur in die opleidings- en prosedurehandleiding.

(3) 'n Teoretiese kennis- en praktiese opleidingsillabus vir 'n RPC-instrukteurgradering moet wees soos voorgeskryf in Dokument SA-CATS 71.

(4) Die Direkteur sal 'n RPC-instrukteurgradering as 'n multirotor-, helikopter- of vliegtuiginstrukteur uitreik indien 'n aansoeker voldoen aan die vereistes soos uiteengesit in hierdie Subdeel.

Grondevaluering en Vaardigheidstoets vir aanvanklike RPC Instrukteur gradering

71.03.3 (1) 'n Vaardigheidstoets vir die aanvanklike RPC-instrukteur gradering vir die UAS-kategorie as 'n multirotor-, helikopter- of vliegtuig waarin 'n instrukteur gradering aangevra word, moet deur 'n DUE afgelê word.

(2) Waar 'n RPC-instrukteur gradering in meer as een kategorie van UAS aangevra word, moet 'n aparte grondevaluering en vaardigheidstoets vir elke kategorie wat aangevra word, uitgevoer word.

(3) 'n Aansoeker vir 'n RPC-instrukteurgradering-grondevaluering en vaardigheidstoets, moet 'n DUE voorsien van 'n aanbevelingsbrief uitgereik deur 'n ATO wat aandui dat sodanige aansoeker —

(a) het 10 uur grondlesings by 'n goedgekeurde ATO bevredigend voltooi; en

(b) word as bevoeg geag om grondevaluering en vaardigheidstoetse uit te voer.

(4) 'n Aanbevelingsbrief waarna in subregulasie (3) verwys word, moet onderteken word deur 'n Hoof-UAS-instrukteur of'n aangewese persoon by sulke instrukteur.

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(5) 'n Grond evaluerings deel van 'n aanvanklike RPC-instrukteur graderings toets moet bestaan uit 'n skynklasonderrig-evaluering en 'n aanbieding, 'n volledige inligtingsessie oor 'n onderwerp wat vooraf aan 'n aansoeker vir 'n RPC-instrukteur gradering deur 'n DUE gegee is.

(6) 'n Aansoeker vir 'n RPC-instrukteur gradering moet voortgaan met 'n RPC-instrukteur vaardigheidstoets wanneersuksesvolle voltooiing van 'n grondevaluering.

(7) Waar 'n aanvanklike RPC-instrukteur-graderingstoets onsuksesvol is, moet 'n aansoeker remediërende opleiding by 'n goedgekeurde ATO ondergaan.

(8) Na voltooiing van 'n remediërende opleiding waarna in subregulasie (7) verwys word, moet 'n betrokke ATO 'n aansoeker 'n aanbevelingsbrief uitreik wat aandui dat sodanige aansoeker—

(a) het 10 uur grondlesings by 'n goedgekeurde ATO bevredigend voltooi; en

(b) word as bevoeg geag om 'n grond evaluering en 'n vaardigheidstoets af te lê.

Geldigheid en beperkings van RPC Instrukteur gradering

71.03.4(1)'n Houer van 'n geldige RPC-instrukteur gradering mag die voorregte van 'n RPC-vluginstrukteur uitoefen, soos geëndosseer in 'n RPC.

(2) 'n RPC instrukteur gradering is geldig vir 'n tydperk van 24 maande vanaf—

(a) die datum van uitreiking of heruitreiking;

(b) die begin van die maand wat volg op die datum van—

(i) verstryking van'nvluginstrukteur-gradering indien sodanige gradering binne 90 dae voor verstryking hergeldig gemaak word; of

(ii) hervalidering van sodanige gradering indien dit voor hervalidering hervalideer is'ntydperk waarna in subparagraaf (i) verwys word.

(3) Indien 'n RPC-instrukteur gradering nie meer as 36 maande vanaf die vervaldatum van sodanige gradering verval het nie, mag 'n RPC-

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instrukteur gradering houerdoen aansoek by die Direkteur vir heruitreiking indien sodanige houer 'n hervalideringstoets met 'n DUE binne 30 dae voor die indiening van sodanige aansoek geslaag het.

(4) Indien 'n RPC-instrukteur gradering verval het met 'n tydperk wat 36 maande vanaf die verstrykingsdatum van 'n gradering, kan 'n RPC-instrukteur gradering houer by die Direkteur aansoek doen vir heruitreiking, mitssulkeRPC-instrukteur gradering houer—

(a) grond- en vlugopleiding by 'n ATO ondergaan het om te voldoen aan die standaard wat vereis word vir die hervalideringstoets van 'n RPC-instrukteur; en

(b) het 'n hervalideringstoets met 'n DUE geslaag, binne 30 dae voor die indiening van 'n aansoek vir hervalidering van 'n gradering.

(5) 'n Aansoek om heruitreiking ingevolge subregulasie (3) moet by die Direkteur ingedien word—

(a) binne 30 dae na voltooiing van 'n hervalideringstoets; en

(b) met die toepaslike fooi soos voorgeskryf in Deel 187.

(6) Indien 'n RPC-instrukteur gradering houer nie die minimum standaard handhaaf wat vereis word om die betrokke voorregte uit te oefen nie, moet 'n DUE—

(a) sodanige houer onmiddellik van sodanige versuim in kennis stel en nie die voorregte van 'n RPC-instrukteur gradering uitoefen totdat die vereistes vir hervalidering of heruitreiking van 'n gradering word nagekom; en

(b) onmiddellik skriftelik aan die Direkteur rapporteer.

SUBDEELD 4: AANWYSING VAN VERSKULDIGE

Aanwysing as DUE deur Direkteur

71.04.1(1) Die Direkteur kan skriftelik 'n persoon as 'n DUE in een of meer van die volgende kategorieë aanwys:

(a) VERSKULDIG (A);

(b) VERSKULDIG (MR); of

(c) VERSKULDIG (H);

(2) 'n Verwysing na DUE ingevolge hierdie Subdeel moet enige van die

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kategorieë van insluit'nDUE waarna verwys word in subregulasie (1).

(3) Die Direkteur mag 'n DUE in meer as een van die UAS-kategorieë waarna in subregulasie (1) verwys word, aanwys, mits sodanige DUE voldoen aan die kwalifikasie- en ervaringsvereistes wat in hierdie Subdeel vir elk van die kategorieë uiteengesit word.

Vereistes vir aanwysing as DUE

71.04.2(1) 'n Aansoeker vir aanwysing as 'n DUE moet—

(a) die vereiste mentorskap deur 'n gekwalifiseerde DUE voltooi het, wat uit die volgende sal bestaan:

(i) ten minste twee skynvaardigheidstoetse;

(ii) hervalideringskontroles;

(iii) grondevaluering;

(iv) voorvlug-inligtingsessie;

(v) evaluering in vlug; en

(vi) nabespreking, soos voorgeskryf in Dokument SA-CATS 71;

(b) geslaag het'naanvanklike praktiese evaluering van die DUE wat deur die Owerheid uitgevoer is, soos voorgeskryf in Dokument SA-CATS 71; en

(c) betaal die toepaslike fooi voorgeskryf in Deel 187.

(2) 'n Aansoeker vir aanstellingioonsoos DUE sal –

(a) 'n geldige RPC met betrekking tot die betrokke kategorie besit;

(b) 'n geldige RPC-instrukteurgradering besit; en

(c) het op 'n UAS, by 'n UASOC of ATO, nie minder nie as 50 uur se opleidingsvlugtyd per kategorie en 100 uur se totale tyd as 'n UAS-vlieënier aangemeld.

Aansoek om aanvanklike aanwysing as DUE

71.04.3(1) 'n Aansoek om aanwysing as DUE moet binne 60 dae na voldoening aan die vereistes soos bepaal in regulasie 71.04.2 by die Direkteur ingedien word.

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(2) 'n Aansoek waarna in subregulasie (1) verwys word, moet in 'n voorgeskrewe vorm wees, vergesel van—

(a) 'n getekende gedragskode;

(b) gesertifiseerde afskrif van twee mees onlangse bladsye van'naansoeker se vlieglogboek, insluitend 'n uuropsomming wat voldoening aan die uurvereistes vir'naanwysing verlang;

(c) verslag wat die suksesvolle voltooiing van twee proeftoetse of -kontroles aandui, onderteken deur'ngoedgekeurde DRE soos gespesifiseer in hierdie Subdeel;

(d) verslag wat 'n slaagsyfer in die aanvanklike DRE-teoretiese kenniseksamens wat deur die Owerheid afgeneem is, aandui; en

(e) bewys van betaling van die toepaslike fooi, soos voorgeskryf in Deel 187.

(3) 'n Aansoek wat valse of misleidende inligting bevat, insluitend in enige ondersteunende dokumentasie, sal gediskwalifiseer word.

(4) Indien enige valse of misleidende inligting onder die aandag van die Direkteur kom na die goedkeuring van 'n DUE-aanwysing, mag die Direkteur die aanwysing intrek.'naanwysing skriftelik.

(5) Die Direkteur kan strafregtelike verrigtinge instel ingevolge Deel 185 waar 'n aansoeker vermoed word of bevind word dat hy of sy inligting vervals het.

Geldigheidstydperk van DUE-aanwysing

71.04.4(1) Indien die Direkteur 'n aanwysing as DUE goedkeur, kan die Direkteur 'n RPC met sodanige aanwysing onderskryf.

(2) As'nIndien die aanwysing meer as ses kalendermaande voor die vervaldatum van 'n RPC-instrukteur-gradering in 'n RPC geëndosseer word, sal 'n aanwysing as 'n DUE gelyktydig met die geldigheidstydperk van 'n RPC-instrukteur-gradering loop.

(3) As'naanwysing word minder as ses kalendermaande voor die tyd in 'n RPC onderskryf'ninstrukteur-gradering se vervaldatum, sal 'n aanwysing geldig wees tot die vervaldatum van 'n RPC-instrukteur-gradering van die volgende jaar.

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Herbenoeming

71.04.5(1) 'n Aansoek om herbenoeming moet by die Direkteur ingedien word in die voorgeskrewe vorm, binne twee kalendermaande voor die vervaldatum van 'n aansoeker se instrukteur-graderingsbevoegdheid.

(2) Die indiening van 'n aansoek ingevolge subregulasie (1) gee 'n aansoeker nie outomaties die reg om die voorreg van 'n DUE na die vervaldatum voort te sit nie.

(3) Die Direkteur mag 'n DUE heraanwys indien 'n DUE 'n bevredigende toesig ondergaan het wat deur die Owerheid uitgevoer is binne die vier kalendermaande vanaf die afsnydatum vir indiening tot'nvervaldatum van instrukteurgradering.

(4) 'n Aansoek waarna in subregulasie (1) verwys word, moet vergesel word van—

(a) 'n verslag van die toesig wat ingevolge subregulasie (2) uitgevoer is;

(b) 'n getekende gedragskode; en

(c) bewys van betaling van die toepaslike fooi, soos voorgeskryf in Deel 187.

(5) 'n DUE moet periodieke herhalende standaardiseringswerkswinkels bywoon soos deur die Direkteur nodig geag en soos op die Owerheid se webwerf gepubliseer.

(6) Die lys van name en kontakbesonderhede van 'n DUE moet op die Owerheid se webwerf geplaas word.

(7) Indien 'n DUE-benaming verval, mag 'n houer van sodanige benaming nie uitoefen niedievoorregte van 'n DUE totdat hy of sy soos volg heraangestel is:

(a) ekf'naanwysing vir minder as 12 maande verval het, moet 'n DUE voldoen aan die vereistes vervat in subregulasies (2) en (3); en

(b) as 'naanwysing vir meer as 12 maande verval het, moet 'n aansoeker voldoen aan die vereistes vir'naanvanklike aanwysing.

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Opskorting of terugtrekking van aanwysing

71.04.6(1) Indien 'n DUE versuim om aan die gedragskode te voldoen of inligting tydens 'n aansoek vervals het, kan die Direkteur skors of intrek.'n aanwysing en effek-afdwingings prosedures soos bepaal in Deel 185, soos nodig geag.

(2) Indien 'n DUE ondersoek word of onderhewig is aan 'n afdwingingsaksie ingevolge Deel 185, word 'n DUE-aanwysing opgeskort vir 'n tydperk soos deur die Direkteur bepaal.

(3) In die geval van 'n onsuksesvolle oorsig,'nDie aanwysing word opgeskort totdat 'n DUE voldoen het aan die prosedures voorgeskryf in Dokument SA-CATS 71.

(4) Indien 'n DUE daarvan verdink word dat hy/sy toetse of kontroles volgens 'n ongewenste standaard uitgevoer het, mag die Direkteur meer as een toesig jaarliks op sodanige DUE uitvoer.

Voorregte en beperkings van DUE

71.04.7(1) Ondanks die voorregte wat aan 'n DUE verleen word, kan die Direkteur 'n beperking plaas op 'n aanwysing gebaseer op'n houerse resentheid in die toepaslike kategorie en sodanige beperking moet geëndosseer word op'nRPC.

(2) 'n Aangewese DUE wat 'n houer is van–

(a) 'n multirotor-benaming mag nie 'n toets of 'n tjek uitvoer vir 'n houer van 'n vliegtuig- of helikopter-RPC nie;

(b) 'n vliegtuigbenaming mag nie 'n toets of 'n tjek uitvoer vir 'n houer van 'n multirotor- of helikopter-RPC nie; en

(c) 'n helikopter benaming mag nie 'n toets of 'n tjek uitvoer vir 'n houer van 'n multirotor- of vliegtuig-RPC nie.

(3) 'n Aangewese DUE mag die voorregte uitoefen van'naanwysing, mits–

(a) 'n RPC waarvoor 'n aanwysing gebaseer is en 'n RPC-instrukteur gradering geldig bly;

(b) in die geval van 'n vaardigheidstoets, 'n DUE sal die kategorie van RPC hou wat verband hou met'nUAS waarop die vaardigheidstoets afgelê word, en moet gekwalifiseerd wees as

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RPC-instrukteur vir 'n spesifieke RPC-kategorie waarin 'n vaardigheidstoets word uitgevoer;

(c) in die geval van 'n aanvanklike BVLOS-toets of 'n hervalideringstoets vir 'n BVLOS-gradering,'nDUE moet 'n BVLOS-gradering besit; en

(d) In die geval van 'n aanvanklike RPC-instrukteur toets of hervalideringstoets vir 'n RPC-instrukteur gradering, moet 'n DUE die kategorie RPC besit wat verband hou met 'n vliegtuig waarop 'n aanvanklike toets of hervaliderings kontrole uitgevoer is.

(4) 'n DUE kan gekwalifiseerd wees as RPC-vluginstrukteur vir 'n spesifieke kategorie van UAS waarop 'n aanvanklike toets of hervaliderings kontrole uitgevoer is.

(5) 'n DUE mag 'n maksimum van ses toetse, ingevolge hierdie Deel, binne 'n tydperk van 24 uur uitvoer,mits sulke toetse uitgevoer word in ooreenstemming met toepaslike vlug- en diensvereistes.

Register van Verskuldigde Belastings

71.04.8(1) Die Direkteur hou 'n register van Verskuldigde Belastings by.

(2) 'n Register waarna in subregulasie (1) verwys wordmoet die volgende bevat:

(a) naam van DUE;

(b) kategorie en voorregte van 'n aanwysing of goedkeuring; en

(c) vervaldatum.".

Wysiging van Deel 91 van die Regulasies

8. Deel 91 van die Regulasies word hierby gewysig deur:

(a) Die vervanging van die Lys van Regulasies met die volgende Lys van Regulasies:

"ONDERDEEL 1: ALGEMENE BEPALINGS

91.01.1 Toepaslikheid

91.01.2 Gesag van gesagvoerder en bemanningslede

91.01.3 Magtiging van personeel om vliegtuie te taxi

91.01.4 Soek- en reddingsinligting

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91.01.5 Inligting oor nood- en oorlewingstoerusting

91.01.6 Metode van vervoer van persone

91.01.7 Toegang tot vlugdek

91.01.8 Ongemagtigde vervoer

91.01.9 Draagbare elektroniese toestelle

91.01.10 Veiligheid in gevaar stel

91.01.11 Bewaring van dokumente en rekords

91.01.12 Gebruik van tyd

91.01.13 Bykomende toerusting vir vlugbemanningslede

91.01.14 Vervoer van gevaarlike goedere

91.01.15 Passasiersdronkenskap en oproerige gedrag

91.01.16 Psigoaktiewe stowwe

91.01.17 Spesifieke Goedkeuring";

(b) die invoeging na regulasie 91.01.16 van die volgende regulasie:

"**Spesifieke goedkeuring**

91.01.17(1) 'n Bevelvoerder mag nie bedrywighede uitvoer waarvoor 'n spesifieke goedkeuring vereis word nie, tensy sodanige goedkeuring gegee is.toegestaan deur die Direkteur.

(2) 'n Spesifieke goedkeuring waarna in subregulasie (1) verwys word, moet aangeteken word in'nOpSpec of enige dokument vasberade deur die Direkteur.

(3) Wanneer 'n spesifieke goedkeuring vir operasionele krediete uitgereik word, moet die Direkteur tevrede wees dat—

(a) 'n vliegtuig voldoen aan toepaslike lugwaardigheid sertifisering vereistes;

(b) inligting wat nodig is om effektiewe bemannings take vir 'n operasie te ondersteun, kan aan 'n bevelvoerder en eerste offisier beskikbaar gestel word indien meer as een bemannings lid benodig word; en

(c) 'n eienaar van 'n vliegtuig of 'n lugdiens operateur het—

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(i) 'n veiligheids risiko-assessering van 'n operasie uitgevoer wat ondersteun word deur sulke toerusting;

(ii) normale en abnormale prosedures gevestig en gedokumenteer en het 'n toepaslik goedgekeurde MEL;

(iii) 'n opleidings program vir vlugbemanningslede en relevante personeel betrokke by vlugvoorbereiding ingestel;

(iv) het 'n stelsel vir data-insameling, evaluering en tendens monitering vir lae-sigbaarheid bedrywighede waarvoor daar 'n operasionele krediet is, ingestel; en

(v) toepaslike prosedures ingestel met betrekking tot voortgesette instandhouding van lugwaardigheidm- en herstel praktyke en -programme.

(4) Die Direkteur moet kriteria vasstel vir die veilige bedryf van 'n vliegtuig wat bedryf word met operasionele krediet met minima bo dié wat verband hou met LVO's.

(5) Die Direkteur kan 'n spesifieke goedkeuring uitreik vir instrument naderings operasies in lae sigbaarheid wat slegs uitgevoer sal word wanneer RVR-inligting verskaf word.

(6) Vir opstyg in lae sigbaarheid, kan die Direkteur 'n spesifieke goedkeuring vir minimum opstyg-RVR uitreik.";

(c) die vervanging van regulasie 91.04.30 met die volgende regulasie:

"**91.04.30** (1) **[Binne ses maande vanaf die inwerkingtreding van hierdie regulasies, a]** 'n Turbine-enjin vliegtuig met 'n maksimum gesertifiseerde opstygmassa van meer as 5 700 kg of gemagtig om meer as nege passasiers te vervoer wat volgens die IFR opereer, moet toegerus wees met 'n TAWS wat 'n **[voorspellende]** vooruitkykende terreinvermydingsfunksie het wat voldoen aan die vereistes wat in Dokument gespesifiseer word."SA-KATTE 91.

(2) 'n Turbine-enjin vliegtuig met 'n maksimum gesertifiseerde opstygmassa van 5 700 kg of minder en gemagtig om meer as vyf, maar nie meer as nege passasiers te vervoer nie, moet toegerus wees met—

(a) 'n grondnabyheidswaarskuwingstelsel wat waarskuwings verskaf oor—

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(ek) oormatige daalspoed; en

(ii) oormatige hoogteverlies na opstyg of deurvlieg;en

(b) 'n waarskuwing van onveilige terreinopruiming en 'n vooruitkykende terreinvermydingsfunksie.

(3) Behalwe soos bepaal in subregulasie (4), moet elke TAWS wat deur subregulasie (1) vereis word, behoorlik funksioneer voor die vlug.

(4) 'n Vliegtuig mag bedryf word sonder 'n funksionele TAWS—

(a) soos bepaal in 'n goedgekeurde MEL; of

(b) as herstelwerk nie kan plaasvind nieuitgevoer by **[die]** 'n vliegveld wat laas opgeereer is, **[die]** 'n vliegtuig word gevlieg deur **[die]** 'n mees direkte roete na **[die]** die naaste fasiliteit waar die herstelwerk gedoen kan word.

(5) 'n TAWS moet outomaties 'n tydige en duidelike waarskuwing aan die vlugbemanning verskaf wanneer 'n vliegtuig in potensieel gevaarlike nabyheid van die aarde se oppervlak is.";"

(d) die vervanging van 91.06.21 deur die volgende regulasie:

"91.06.21 (1) **[Elke]** VFR **[vlug]** moet so uitgevoer word **[dat dit]** 'n vliegtuig wat gevlieg word onder toestande van sigbaarheid en afstand van wolke gelyk aan of groter as dié wat in Tabelle 1 en 2 gespesifiseer word, in staat stel om:
[met visuele verwysing na die oppervlak bedags en na identifiseerbare voorwerpe snags en te geen tyd bo meer as drie agtstes van die wolk binne 'n radius van 5 NM van sodanige vliegtuig en—]
[(a) in die geval van vliegtuie, uitgesluit helikopters, wat bedryf word onder toestande van sigbaarheid en afstand vanaf wolk gelyk aan, of groter as, die toestande gespesifiseer in tabelle 1 en 2—]

Tabel 1

Lugruim	**Vlugsigbaarheid**	**Afstand vanaf wolke**	**Grondsigbaarheid en plafon**
Beheersones	Vyf km	Horisontaal: **[600 meter]**	Geen vliegtuig mag opstyg vanaf, land by, of nader om te

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		1500 meter Vertikaal: **[500 voet]** 1000 voet	land by 'n vliegveld of binne die beheersone vlieg wanneer die grondsigbaarheid by die betrokke vliegveld minder as 5 km of die plafon minder as 1 500 voet is nie.
Binne 'n vliegveld verkeersone (wat nie ook 'n beheersone of deel van 'n beheersone insluit nie)	Vyf km	Horisontaal: **[600 meter]** 1500 meter Vertikaal: **[500 voet]** 1000 voet	Geen vliegtuig mag opstyg vanaf, land by of nader om te land by 'n vliegveld of binne die vliegveld verkeersone vlieg wanneer die grondsigbaarheid binne sodanige vliegveld verkeersone minder as 5 km is of die plafon minder as 1 500 voet is nie.

Let wel: Wanneer die hoogte van die oorgangshoogte laer as 3 050 m (10 000 vt) AMSL is, moet FL 100 in plaas van 10 000 vt gebruik word.

Tabel 2 In lugruimtes anders as dié wat in Tabel 1 gespesifiseer word

Lugruimklas	**Hoogteband**	**Vlugsigbaarheid**	**Afstand vanaf wolk**
CFG	Op en bo 10 000 voet bo MSL	8 km	1 500 m horisontaal 1 000 vt vertikaal
CFG	Onder 10 000 voet AMSL en bo 3 000 voet bo MSL, of bo 1 000 voet bo terrein, wat ook al die hoogste is.	5 km	1 500 m horisontaal 1 000 vt vertikaal
C	Op en onder 3 000 voet bo MSL, of 1 000 voet bo terrein, wat ook al die hoogste is	5 km	1 500 m horisontaal 1 000 vt vertikaal
FG		5 km	Vry van wolke en met die oppervlak in sig

Let wel: Wanneer die hoogte van die oorgangshoogte laer as 3 050 m (10 000 vt) AMSL is, moet FL 100 in plaas van 10 000 vt gebruik word.

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[Mits die minima wat in Tabel 1 gespesifiseer word, nie van toepassing is wanneer 'n CTR binnegegaan of verlaat word nie en die vlug klaring van 'n ATSU ontvang het om onder Spesiale VFR-minima te opereer soos bedoel in regulasie.] 91.06.22—

(i) 'n CTR binnegaan of verlaat en die vlug klaring van 'n ATSU ontvang het om onder Spesiale VFR-minimums te opereer soos voorgeskryf in regulasie 91.06.22; of

(ii) 'n lugverkeersone (ATZ) binnegaan of verlaat op 'n landwye vlug; en

(iii) 'n vlieënier in die lugvaartuig tweerigting-radio kommunikasie met die lughawe beheertoring of lughawe-vluginligtingsdiens-eenheid handhaaf, in welke geval die vlieënier die lughawe verkeersone mag verlaat of binnegaan wanneer die grond sigbaarheid gelyk is aan of groter is as 5 km en die wolkplafon gelyk is aan of hoër is as 500 vt;

(*b*) in die geval van helikopters, onder toestande van sigbaarheid en afstand vanaf wolk gelyk aan, of groter as, daardie toestande gespesifiseer in Tabelle 3 en 4:

Tabel 3

Lugruim	Vlugsig	Afstand Van Wolke	Grondsig En Wolkplafon
Beheersones	5 km	Horisontaal: 300 m Vertikaal: Skoon van wolk	Behals wanneer daar onder ’n SVFR-vrystelling opgetree word, mag geen helikopter opstyg vanaf, land by, of naderingsvlug uitvoer om by ’n lughawe te land, of binne die beheersone vlieg nie, wanneer die grondsig by die betrokke lughawe minder as 5 000 meter is en die wolkplafon minder as 1 500 vt is.
Binne ’n lughaweverkeersone (wat nie ook ’n beheersone of deel van ’n beheersone vorm nie)	5 km	Horisontaal: 300 m Vertikaal: Skoon van wolk	Geen helikopter mag opstyg vanaf, land by, of naderingsvlug uitvoer om by ’n lughawe te land, of binne die lughaweverkeersone vlieg nie, wanneer die grondsig by die betrokke lughawe minder as 5 000 meter is en die wolkplafon minder as 1 500 vt is.

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Tabel 4 In lugruimtes anders as dié wat in Tabel 3 gespesifiseer word

Lugruim klas	Hoogte band	Vlugsigbaarheid	Afstand vanaf wolk
C F G	Op en bo 10 000 voet bo MSL	8 km	1 500 m horisontaal 1 000 vt vertikaally
C F G	Onder 10 000 voet AMSL en bo 3 000 voet bo MSL, of bo 1 000 voet bo terrein, wat ook al die hoogste is.	5 km	1 500 m horisontaal 1 000 vt vertikaally
C	Op en onder 3 000 voet bo MSL, of 1 000 voet bo terrein, wat ook al die hoogste is.	2 500 m	1 500 m horisontaal 1 000 vt vertikaally
F G		1 500 m tensy in ooreenstemming met (iii) hieronder	Vry van wolke en met die oppervlak in sig]

(1A) Die vlugsig-minimum vir VFR-operasies gespesifiseer in Tabel 1 wat betrekking het op ’n vliegtuig, en wat deur die toepaslike Lugdienste-owerheid voorgeskryf word en by die diskresie van ’n Lugbeheerkantoor verminder kan word vir ’n vlug wat:

(a) teen snelhede wat, by die heersende sigbaarheid, voldoende geleentheid bied om ander verkeer of enige hindernisse betyds waar te neem om ’n botsing te vermy; of

(b) in omstandighede waar die waarskynlikheid van ontmoetings met ander verkeer normaalweg laag is, soos in lae-verkeers volumegebiede en vir lae-volume lugwerke op lae hoogtes.

(1B) Die vlugsig-minimum gespesifiseer in Tabel 1 ten opsigte van ’n helikopter, soos voorgeskryf deur die toepaslike Lugdienste-owerheid en by die diskresie van ’n Lugbeheerkantoor, mag verminder word tot minder as 1 500 m, maar nie minder as 800 m nie, met ’n wolkplafon van nie minder as 600 vt, mits alle vlugte uitgevoer word:

(a) indien die manoeuvres teen ’n snelheid uitgevoer word wat voldoende geleentheid bied om ander verkeer of enige hindernisse betyds waar te neem om ’n botsing te vermy;

(b) bewys dat ’n RTF-roepnaam en ’n 3- of 2-letter-vliegtuigontwerper in terme van Deel 176 toegeken is, voorsien word;

(c) in terme van Deel 93, 96, 127, 128, 137 en 138 operasie; of

(d) soos deur die Direkteur goedgekeur.

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Voorwaardelik dat—

(i) die beperkings soos vervat in Tabel **[3]** 1 sal nie 'n helikopter verhinder om sweef-in-grond-effek of sweef-taksi-operasies binne die grense van 'n beheerde vliegveld uit te voer nie, indien die sigbaarheid nie minder as 100 m is nie;

(ii) Die minima wat in Tabel **[3]** 1 gespesifiseer word, is nie van toepassing wanneer 'n helikopter 'n CTR binnegaan of verlaat nie en sodanige vlug klaring van 'n ATSU ontvang het om onder Spesiale VFR-minima te opereer soos voorgeskryf in regulasie. 91.06.22. **[; en]**

(iii) Helikopters sal toegelaat word om te opereer in minder as 1 500 m vlugsigbaarheid buite beheerde lugruim, indien hulle teen 'n spoed gemaneuvreer word wat voldoende geleentheid sal bied om ander verkeer of enige hindernisse betyds waar te neem om botsings te vermy.

(2) VFR-vlug word nie toegelaat nie—

(a) teen transoniese of supersoniese spoed; of

(b) **[in Klas A-lugruim]** bo FL200."

(e) die vervanging van regulasie 91.07.7 met die volgende regulasie:

"**91.07.7** (1) **[Die]** 'n Eienaar of operateur van 'n vliegtuig moet bestemmings- of alternatiewe vliegvelde kies in ooreenstemming met regulasie 91.07.5 wanneer 'n vlug beplan word."

(2) **[Die]** 'n Die eienaar of operateur van 'n vliegtuig mag slegs 'n vertrek-, bestemmings- of alternatiewe vliegveld kies wanneer die diensbaarheidstatus van die vliegveld dit toelaat.'nveilige bedryf van die betrokke tipe vliegtuig.

(3) 'n Opstyg-alternatiefvliegveld moet gekies en gespesifiseer word in 'n operasionele en ATS-ingediende vlugplan, en, indien van toepassing, in 'n voorlopige vlugplan, **[soos voorgeskryf deur regulasie 91.03.4]**, indien die meteorologiese toestande by **[die]** 'n vliegveld van vertrek gelyk is aan of onder die toepaslike vliegveld-bedryfsminima is, of dit om ander redes nie moontlik sou wees om na **[die]** 'n vliegveld van vertrek

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terug te keer nie.

(4) **[Die]** 'n Opstyg-alternatief vliegveld waarna in subregulasie (3) verwys word, moet binne **[die volgende tyd vanaf die vliegveld van vertrek]—**

(a) twintig (20) minute vliegtyd vanaf **[die]** 'n vertrekvliegveld in die geval van 'n enkelmotorige **[vliegtuie]** vliegtuig;

(b) vir **[vliegtuie**] 'n vliegtuig met twee enjins, een uur vlugtyd vanaf 'n vertrekvliegveld teen **[die]** 'n een-enjin buite werking kruisspoed, bepaal uit **[die]** 'n vliegtuig vlughandleiding, waarna verwys word in regulasie 91.03.2, bereken in Internasionale Standaard Atmosfeer **[(ISA)]** en stilstaande lugstandaardtoestande, met behulp van **[die]** 'n werklike opstygmassa;

(c) vir **[vliegtuie]** 'n vliegtuig met drie of meer enjins, twee uur se vlugtyd vanaf 'n vertrek vliegveld teen 'n kruisspoed met al die enjins, bepaal vanaf 'n vliegtuig vlug handleiding, bereken in Internasionale Standaard Atmosfeer **[ISA]** en lugstil toestande, met behulp van die werklike opstygmassa;

(d) vir **[vliegtuie]** 'n vliegtuig wat besig is met **[verlengde afwykingstyd bedrywighede (EDTO)]** EDTO, waar 'n alternatiewe vliegveld wat aan **[die]** afstandkriteria van **[subregulasie]** subparagraaf (b) of (c) voldoen nie beskikbaar is nie, **[die eerste beskikbare alternatiewe vliegveld binne die]** 'n afstand van **[die]** 'n vliegveld operateur se goedgekeurde maksimum afwykingstyd, met behulp van **[die]** 'n werklike opstygmassa; en

(4A) Vir 'n vliegveld wat as 'n opstyg-alternatief gekies moet word, moet die beskikbare inligting aandui dat die toestande teen 'n beraamde gebruikstyd gelyk sal wees aan of bo 'n vliegveld operateur se vasgestelde vliegveld bedryfsminima vir daardie operasie –

mits,as'n lugvaartuig (AFM), waarna verwys word in regulasie 91.03.2, bevat nie 'n kruisspoed met een motor wat nie werk nie, soos bedoel in subregulasie (4) nie; 'n spoed wat vir berekening gebruik moet word,

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moet 'n spoed wees wat bereik word met 'n oorblywende enjin of enjins wat op maksimum deurlopende krag gestel is.

(4B) 'n en-roete alternatiewe vliegvelde, vereis ingevolge subregulasie (4) vir verlengde afwykingstyd-operasie deur 'n vliegtuig met twee turbine-enjins, moet gekies en gespesifiseer word in'nATS ingediende vlugplanne, en, indien van toepassing, in 'n voorlopige vlugplan.

(5) **[Die eienaar of operateur]** 'n PIC van 'n helikopter moet ten minste een bestemmings alternatiewe vliegveld vir elke IFR-vlug kies, tensy die heersende meteorologiese toestande sodanig is dat, vir 'n tydperk van een uur voor tot een uur na 'n verwagte aankomstyd by 'n bestemmingsvliegveld, die nadering vanaf 'n minimum sektorveilige hoogte en landing in VMC gemaak kan word.

(6) Vir 'n vlug om uitgevoer te word in ooreenstemming met instrumentvlugreëls, **[die operateur]** 'n PIC van 'n vliegtuig moet ten minste een bestemmings alternatiewe vliegveld kies wat in die **[ATS-vlugplan]** operasionele en ingediende ATS-vlugplanne gespesifiseer moet word, en, indien van toepassing, in 'n voorlopige vlugplan, tensy—

(a) die duur van 'n vlug vanaf 'n vertrek vliegveld, of vanaf 'n punt van herbeplanning tydens vlug na 'n bestemmings vliegveld is sodanig dat, met inagneming van alle meteorologiese toestande en operasionele inligting wat relevant is tot 'n vlug, teen 'n beraamde gebruikstyd, 'n redelike sekerheid bestaan dat—

(i) **[die]** 'n nadering en landing kan onder **[visuele meteorologiese toestande]** VMC gemaak word; en

(ii) afsonderlike aanloopbane is bruikbaar by **[die]** 'n beraamde gebruikstyd van 'n bestemmings vliegveld met ten minste een aanloopbaan met 'n operasionele instrument naderings prosedure; of

(b) **[die]** 'n vliegveld is geïsoleerd. **[Bedrywighede na geïsoleerde vliegvelde vereis nie die]** Bedrywighede na 'n 'n geïsoleerde vliegveld vereis nie 'n keuse van 'n bestemmings alternatiewe **[vliegveld(e)]** vliegveld en moet beplan word in ooreenstemming

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met **[subregulasie 91.07.12(3)(d)]** regulasie 91.07.12 en—

(i) **[vir elke vlug na 'n afgesonderde vliegveld]** 'n Punt van geen terugkeer sal vir elke vlug bepaal word 'n geïsoleerde vliegveld; en

(ii) 'n vlug wat na 'n afgesonderde vliegveld uitgevoer moet word, mag nie verder as **[die]** 'n punt van geen terugkeer tensy 'n huidige assessering van meteorologiese toestande, verkeer en ander operasionele toestande aandui dat 'n veilige landing op 'n beraamde gebruikstyd gemaak kan word.

Nota: *Afsonderlike aanloopbane is twee of meer aanloopbane by dieselfde vliegveld wat so gekonfigureer is dat indien een aanloopbaan gesluit is, operasies na die ander* ***[aanloopbaan(e)]*** *uitgevoer kan word.*

(7) Behalwe soos bepaal in subregulasies (10) en (13), wanneer 'n vlug beplan word, moet **[die operateur]** 'n gesagvoerder mag slegs 'n vliegveld as 'n bestemmings- of alternatiewe vliegveld kies indien die toepaslike weerverslae of -voorspellings, of 'n kombinasie daarvan, gelyk is aan of bo die toepaslike beplannings minima is vir 'n tydperk van een uur voor tot een uur na die die beraamde aankomstyd van **[die]** 'n vliegtuig by **[die]** 'n vliegveld.

(8) **[Die operateur]** 'n PIC van 'n helikopter moet ten minste een bestemmings alternatiewe vliegveld vir elke IFR-vlug kies, tensy—

(a) beskikbare huidige meteorologiese inligting dui daarop dat dievolgende meteorologiese toestande sal bestaan van twee uur voor tot twee uur na die beraamde aankomstyd, of vanaf die werklike vertrektyd tot twee uur na die beraamde aankomstyd, wat ook al die kortste tydperk is—

(i) 'n wolkbasis van minstens 400 voet bodie minimum geassosieer met **[die]** 'n instrument benaderings prosedure; en

(ii) sigbaarheid van ten minste 1.5 km meer as die minimum wat met die prosedure geassosieer word; of

(b) **[die]** 'n helikopterhawe van beoogde landing is geïsoleerd en

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geen geskikte alternatief is beskikbaar nie en—

(ek) 'n Instrument benaderings prosedure word voorgeskryf vir **[die]** sulke geïsoleerde helihawe **[van beoogde landing]**; en

(ii) 'n **[punt van geen terugkeer (PNR)]** PNR word bepaal in die geval van 'n buitelandse bestemming.

(9) Geskikte alternatiewe vir die see vir **[helikopters]** 'n helikopter kan gespesifiseer word onderhewig aan die volgende:

(a) **[diealternatiewe vir buitelandse vlugte]** 'n alternatiewe vir buitelandse vlugte mag slegs gebruik word nadat 'n PNR geslaag is. Voor 'n PNR moet alternatiewe vir buitelandse vlugte gebruik word;

(b) meganiese betroubaarheid van kritieke beheerstelsels en kritieke komponente moet in ag geneem word enin ag geneem word wanneer die geskiktheid van **[die]** 'n plaasvervanger bepaal word;

(c) een-enjin onwerkende werkverrigtingsvermoë moet bereikbaar wees voor aankoms by **[die]** 'n plaasvervanger;

(d) sover moontlik, moet dekbeskikbaarheid gewaarborg word; en

(e) Weerinligting moet betroubaar en akkuraat wees.

(10) Twee alternatiewe bestemmings vliegvelde moet gekies en gespesifiseer word in **[die]** operasionele en ATS-ingediende vlugplanne en, indien van toepassing, in 'n voorlopige vlugplan wanneer by **[die]** 'n bestemmings vliegveld—

(a) die meteorologiese toestande op die beraamde tyd van gebruik sal laer wees as **[die]** 'n operateur se vasgestelde vliegveld bedryfsminima vir daardie operateur; of

(b) meteorologiese inligting is nie beskikbaar nie.

(11) **[Die]** 'n Eienaar of Die operateur van 'n vliegtuig moet 'n alternatiewe

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bestemmings vliegveld, indien nodig, spesifiseer in 'n ATS-vlugplan waarna in regulasie 91.03.3 verwys word.

(12) **[Die]** 'n Eienaar van Die operateur van 'n vliegtuig moet alternatiewe vliegvelde onderweg spesifiseer vir langafstand operasies met 'n tweemotorige **[vliegtuie]** vliegtuig en moet sulke alternatiewe vliegvelde onderweg spesifiseer in **[die]** 'n ATS-vlugplan waarna in regulasie 91.03.4 verwys word.

(13) Benewens die bepalings van subregulasie (10), 'n PIC mag 'n vlug in ooreenstemming met IFR na 'n bestemming uitvoer waarvoor daar geen lugvaart weerverslae of -voorspelling beskikbaar is nie: Mits aan die vereistes uiteengesit in Dokument SA-CATS 91 voldoen word.

(14) Ondanks die bepalings in subregulasies [91.07.7] (3), [91.07.7] (6), en [91.07.7] (8); mag die Direkteur, gebaseer op die resultate van 'n spesifieke veiligheids risik obepaling wat deur'neienaar of operateur van 'n vliegtuig wat demonstreer hoe 'n ekwivalente vlak van veiligheid gehandhaaf sal word, operasionele variasies aan alternatiewe vliegveld keusekriteria goedkeur. Die spesifieke veiligheids risik obepaling moet ten minste die volgende insluit—

(a) vermoëns van **[die bevelvoerder]** 'n bevelvoerder of operateur van 'n vliegtuig;

(b) algehele vermoë van **[die]** 'n vliegtuig en sy stelsels;

(c) beskikbare vliegveld tegnologieë, -vermoëns en -infrastruktuur;

(d) kwaliteit en betroubaarheid van meteorologiese inligting;

(e) geïdentifiseerde gevare en veiligheidsrisiko's wat verband hou met elke alternatiewe vliegveld variasie; en

(f) spesifieke versagtings maatreëls.";

(f) die invoeging in regulasie 91.10.2 na subregulasie (4) van die volgende subregulasie:

"(5) 'n Vliegtuig operateur moet betrokke raak bydie Owerheidso gou as moontlik in gevalle waar 'n vliegtuig operateur binne die bestek vanregulasie

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91.10.1vir die eerste keer na 1 Januarie 2021,sonder om as 'n nuwe toetreder te kwalifiseer teen die einde van 'n jaar, of aan die begin van jaar y+1.";"

(g) die invoeging in regulasie 91.10.5 na subregulasie (2) van die volgende subregulasies:

"(3) 'n Vliegtuig operateur watval binne die omvang van die toepaslikheid van regulasies 91.10.1 na 1 Januarie 2021 vir die eerste keer en sonder om as 'n nuwe toetreder te kwalifiseer, mag óf gebruik–

(a) 'n Brandstofgebruikmoniteringsmetode, soos voorgeskryf in Dokument SA-CATS 91, of

(b) die ICAO CO2-beramings- en rapporterings instrument (CERT), soos verskaf in Aanhangsel 3.

(4) Indien 'n vliegtuigoperateur waarna in subregulasie (3) verwys word, nie voldoende inligting het om 'n Brandstof gebruik moniterings metode te gebruik nie, soos voorgeskryf in Dokument SA-CATS 91, moet sodanige vliegtuig operateur 'n toegekende Staat versoek om die gebruik van die ICAO CO2-beramings- en verslagdoenings instrument (CERT) goed te keur vir 'n tydperk wat nie later as 30 Junie duur in die jaar nadat 'n vliegtuig operateur vir die eerste keer aan die vereistes in regulasies 91.10.1 (jaar y+1) voldoen.";

(h) die invoeging in regulasie 91.10.7 na subregulasie (3) van die volgende subregulasies:

"(4) 'n Vliegtuig operateur wat na 1 Januarie 2021 vir die eerste keer binne die bestek van regulasie 91.10.1 val sonder om as 'n nuwe toetreder te kwalifiseer,sall, binnedrie maande nadat dit binne die omvang van die toepaslikheid van regulasie 91.10.1 val, 'n OMP vir goedkeuring aan die Owerheid voorlê in ooreenstemming met Dokument SA-CATS 91.

(5) 'n Vliegtuig operateur waarna in subregulasie (4) verwys word, moet betrokke raak bydie Owerheidso gou as moontlik in gevalle waar 'n vliegtuig operateur binne die bestek van regulasie 91.10.1 val na 1 Januarie 2021 naby die einde van jaar y, of aan die begin van jaar y+1.";"

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(i) die vervanging in regulasie 91.10.8 vir subregulasie (2) van die volgende subregulasie:

"(2) 'n Vliegtuigoperateur wat 'n brandstof verbruiks moniterings metode gebruik, moet CO bepaal$_2$uitlatings van internasionale vlugte, met behulp van die volgende vergelyking —

$$CO_2 = \sum_f M_f * FCF_f$$

Waar:
CO2= CO2-uitlatings (in tonne);
Mf = Massa brandstof f gebruik(in tonne); en
FKFf = Brandstofomskakelingsfaktor van gegewe brandstof f, gelyk aan 3.16(in kg CO2/kg brandstof) vir Jet-A brandstof, Jet-AI brandstof, TS-1 brandstof, of No.3 Straalbrandstof en 3.10 (in kg CO2/kg brandstof) vir AvGas of Jet-B brandstof.".

(j) die vervanging van regulasie 91.10.15 met die volgende regulasie:

"(1) Die verrekeningsvereistes van CORSIA sal—

(a) van toepassing wees vanaf Januarie 2021 tot 31 Desember 2035, op 'n vliegtuigoperateur waarna verwys word in regulasie 91.10.1, wie se internasionale vlugte tussen die Republiek en State soos gedefinieer in Dokument SA-CATS 91 is.

(b) nie van toepassing op 'n nuwe toetreder-vliegtuigoperateur nie—

(i) vir drie jaar vanaf die jaar wanneer sodanige operateur aan die vereistes van regulasie 91.10.1 voldoen;**[of]**

(ii) tot die jaarlikse CO_2uitlatings oorskry 0.1 persent van sy totale CO2-uitlatings van internasionale vlugte in 2020, wat ook al eerste plaasvind **[.];** of

(iii) die inligting oor die totale CO_{22}emissies in 2019 uit die ICAO-dokumente getiteld "CORSIA 2020 Emissions" moet gebruik en geproduseer word in ooreenstemming met die tydlyn wat in Dokument SA-CATS 91 voorgeskryf word.";

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(2) Metodes vir die berekening van emissies vir verrekenings vereistes moet wees soos voorgeskryf in Dokument SA-CATS 91.

(3) Die Owerheid moet **[die]** ‘n jaarlikse vliegtuigoperateur se finale CO2-verrekenings vereiste bereken, gebaseer op die data wat gerapporteer word in ooreenstemming met Hoofstuk 2 van die CORSIA-metodologie vir die berekening van werklike lewensiklusemissiewaardes en die toepaslikheidsvereistes soos voorgeskryf in Dokument SA-CATS 91.

(4) Wanneer 'n vliegtuig operateur nie CO het nie$_2$uitlatings soos van toepassing kragtens regulasie 91.10.1 en kwalifiseer nie as 'n nuwe toetreder nie, moet die Owerheid 'n waarde van 10 000 ton CO2 as 'n OEB gebruik, y.

(5) Indien die som van 'n vliegtuig operateur se verrekenings vereistes in die drie jaar van 'n gegewe voldoeningstydperk (OR1, C + OR2, C + OR3, C) minder as 3 000 ton CO_2 is$_2$dan sal 'n vliegtuig operateur geen verrekenings vereistes vir 'n voldoeningstydperk hê nie.".

Wysiging van Deel 92 van die Regulasies

9. Deel 92 van die Regulasies word hierby gewysig deur:

(a) die vervanging van regulasie 92.01.3 met die volgende regulasie:

"Kommissaris se diskresionêre bevoegdhede

92.01.3 (1) Ondanks die bepalings van regulasie 92.01.2, kan die Kommissaris **[nadat hy oorweeg het dat spesiale omstandighede bestaan wat die vervoer van gevaarlike goedere regverdig,]** 'n versoek oorweeg om die vervoer van gevaarlike goedere toe te laat in gevalle—

(a) van uiterste dringendheid;

(b) waar ander vorme van vervoer onvanpas is; of

(c) waar volle nakoming van die bepalings van hierdie Deel strydig met die openbare belang kan wees; en **[.]**

(d) spesiale omstandighede bestaan wat die vervoer van gevaarlike goedere regverdig.

(2) Die Kommissaris moet, by die oorweging van 'n versoek vir die vervoer van gevaarlike goedere soos beoog in subregulasie (1), homself of haarself

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oortuig dat tydens sodanige vervoer 'n aanvaarbare vlak van veiligheid wat gelykstaande is aan die vlak van veiligheid soos voorgeskryf in Dokument SA-CATS 92, onder alle omstandighede uitgevoer sal word.

(3) Ondanks die bepalings van regulasie 92.01.2, kan 'n persoon die Kommissaris versoek om die vervoer van gevaarlike goedere ingevolge hierdie Deel—

(a) in gevalle waar ingevolge Dokument SA-CATS 92 verbode gevaarlike goedere met die Kommissaris se goedkeuring op passasiers- of vragvliegtuie vervoer mag word; of

(b) vir enige ander doeleindes wat van krag is soos voorgeskryf in Dokument SA-CATS 92.

(4) Vir gevalle waar die Republiek 'n Staat van oorvlug is en geeneen van die kriteria vir die verlening van magtiging relevant is nie, kan die Kommissaris se diskresionêre bevoegdhede om goedkeuring te verleen vir die vervoer van gevaarlike goedere ingevolge subartikel (1) slegs toegestaan word op grond van die vraag of 'n ekwivalente vlak van veiligheid in lugvervoer bereik is."

(b) die invoeging in regulasie 92.01.6 na subregulasie (1) van die volgende subregulasie:

"(2) Om veiligheidsredes sal die vervoer van gevaarlike goedere wat van 'n ander kontrakterende staat gestuur word,gefasiliteer in ooreenstemming met die nuutste toepaslike Tegniese Instruksies.";

(c) die vervanging in regulasie 92.01.41 vir subregulasie (3) van die volgende subregulasie:

"(3) 'n Lugdiensoperateur **[wat nie goedkeuring het om Gevaarlike Goedere as vrag te vervoer nie]** moet, ten einde 'n gesagvoerder en kajuitbemanning by te staan om noodgevalle aan boord te bestuur wat voortspruit uit gevaarlike goedere wat aan boord vervoer word, 'n gesagvoerder en kajuitbemanning voor vertrek voorsien van inligting vervat in die dokumente voorgeskryf in Dokument SA-CATS 92.".

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Wysiging van Deel 93 van die Regulasies

10. Deel 93 van die regulasies word hierby gewysig deur:

(a) die vervanging van regulasie 93.06.2 met die volgende regulasie:

"**93.06.2** (1) 'n CAOC is geldig vir 'n tydperk wat deur die Direkteur bepaal word en so 'n tydperk mag nie vyf jaar oorskry nie, bereken vanaf die datum waarop dit uitgereik word, mits dit nie vrywillig aan die Direkteur oorhandig of andersins deur die Direkteur opgeskort of gekanselleer word nie.

(2) Tensy anders vermeld deur die Direkteur, is 'n houer van 'n CAOC onderworpe aan 'n voortgesette toesigprogram en die CAOC bly geldig en van krag vir 'n tydperk van hoogstens vyf jaar. Met dien verstande dat 'n houer van 'n CAOC—

(a) dien 90 dae voor die vervaldatum van 'n CAOC 'n toepaslike aansoek om hernuwing en hernuwingsfooi soos voorgeskryf in Deel 187 by die Direkteur in;

(b) indien 60 dae voor die vervaldatum vanOpSpec, 'n toepaslike aansoek vir hernuwing en jaarlikse geldeenheidsfooi soos voorgeskryf in Deel 187;

(c) het enige bevinding wat teen sodanige houer gemaak is na aanleiding van oudits en inspeksies wat deur die Owerheid uitgevoer is, suksesvol opgelos; en

(d) voldoen steeds aan die vereistes vir die uitreiking van 'n CAOC.

(3) Versuim om aan die bepalings van subregulasie (2) te voldoen, sal daartoe lei dat 'n houer van so 'n CAOC nie in aanmerking kom om die voorregte van 'n CAOC uit te oefen nie.

(4) Indien 'n houer van 'n CAOC onbevoeg raak om die voorregte soos beoog in subregulasie (3) uit te oefen, moet die Direkteur 'n CAOC in kennis stelhouer van die skorsing skriftelik en sodanige CAOC-houer moet onmiddellik 'n CAOC en OpSpec aan die Direkteur oorhandig.

(5) 'n CAOC bly geldig mits 'n CAOC nie vrywillig aan die Direkteur oorgegee of andersins deur die Direkteur opgeskort of gekanselleer word nie.

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(6) 'n CAOC is nie oordraagbaar nie.

(7) 'n Houer van 'n CAOC wat versuim om te voldoen aan die vereistes soos bepaal in subregulasie (2) of wie se sertifikaat of OpSpec teruggegee of opgeskort word, moet die redes skriftelik binne 15 werksdae na ontvangs erken en moet sodanige CAOC en OpSpec onmiddellik aan die Direkteur terugbesorg.

(8) 'n Operasie ingevolge hierdie Deel mag slegs uitgevoer word deur 'n houer van 'n geldige CAOC en OpSpec.

(9) 'n CAOC enOpSpec wat ingevolge hierdie Deel uitgereik word, moet ten minste 15 dae voor die verstryking van die huidige CAOC en OpSpec uitgereik word.

(10) In geval van vertragings in die goedkeuring van 'n CAOC of OpSpec ingevolge subregulasie (9), kan die Direkteur kies om 'n tydelike sertifikaat uit te reik, mits daar geen veiligheidskwessies is nie en aan die aansoekvereistes voldoen word.".

Wysiging van Deel 94 van die Regulasies

11. Deel 94 van die Regulasies word hierby gewysig deur:

(a) die vervanging in regulasie 94.01.2 vir subregulasie (3) paragraaf (c) en (d) van die volgende paragrawe:

"(3) **[Die]** 'n Toestemming waarna in subregulasie (2) verwys word, word normaalweg slegs toegestaan—

(a) vir 'n beperkte tydperk;

(b) vir die doel van deelname aan internasionale geleenthede binne die Republiek, vir rekordbrekende doeleindes of demonstrasievlugte, of na goeddunke van die Direkteur indien 'n aanvaarbare vlak van veiligheid aangetoon kan word en openbare veiligheid nie in gevaar gestel word nie;

(c) bewys word ingedien dat **[vir die vliegtuig]** 'n vliegmagtiging of soortgelyke sertifikaat vir 'n vliegtuig is uitgereik deur **[die buitelandse burgerlike lugvaart]** 'n toepaslike owerheid of 'n

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organisasie **[aangewese]** wat vir die doel deur sodanige toepaslike owerheid goedgekeur is; en

(d) as **[die]** 'n vliegtuig [word beskikbaar gestel vir inspeksie] is geïnspekteer deur 'n gelisensieerde lug vaartuig onderhoudsagent of lug vaartuig onderhoudsagent of 'n **[Goedgekeurde Persoon]** goedgekeurde persoon met die toepaslike gradering of goedkeuring, of deur enige ander persoon **[aangewese]** wat vir **[die]** doel deur die Direkteur goedgekeur is, so gou as moontlik na sy aankoms in die Republiek, en 'n inspeksieverslag is aan die Direkteur voorgelê."

(b) die vervanging in regulasie 94.05.1 vir subregulasie (1) van die volgende subregulasie:

"**94.05.1** (1) Tensy toestemming verleen deur die Direkteur [of die organisasie wat vir die doel aangewys is ingevolge Deel 149, na gelang van die geval, op 'n geval-tot-geval-basis], mag 'n nie-tipe-gesertifiseerde vliegtuig nie gevlieg word—

(a) snags;

(b) in meteorologiese toestande minder as dié wat voorgeskryf is as geskik vir vlug onder VFR;

(c) binne beheerde lugruim, tensy dit goedgekeur is deur en op voorwaardes voorgeskryf deur LVB; of

(d) binne 5 NM vanaf **[die vliegveld]** 'n verwysingspunt van 'n vliegveld wat gelisensieer of goedgekeur is ingevolge deel 139 van hierdie regulasies en in Klas G-lugruim geleë is, tensy vasgestelde onbemande vliegveldprosedures vir daardie spesifieke vliegveld nagekom kan word; of

(e) tensy onvermydelik, oor beboude gebiede en opelug-byeenkomste van persone, behalwe vir die doel van opstyg, transito en landing."

(c) die vervanging van regulasie 94.06.1 met die volgende regulasie:

"**94.06.1** (1) **[Enige]** 'n Persoonwat 'n nie-tipe-gesertifiseerde vliegtuig bedryf vir lugvaart- ontspannings doeleinden of in lugvertonings, moet voldoen aan die

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standaarde en prosedures wat deur die Direkteur bepaal word **[organisasie aangewys vir die doel ingevolge Deel 149, indien enige, en indien van toepassing].**

(2) **[Enige]** 'n Persoon wat 'n nie-tipe-gesertifiseerde vliegtuig vir sport- of lugvaart-ontspanningsdoeleindes bedryf **[moet 'n bona fide-lid wees]** mag sulke bedrywighede uitvoer onder die beskerming van 'n toepaslike lugvaart-ontspanningsorganisasie **[aangewys]** wat deur die Direkteur ingevolge Deel 149 goedgekeur is en die grondwet en gedragskode daarvan, indien enige, nakom.

[(3) Vir die doeleindes van hierdie subdeel, en totdat 'n organisasie ingevolge Deel 149 goedgekeur is, moet enige persoon wat 'n nie-tipe-gesertifiseerde vliegtuig vir lugvaart-ontspanningsdoeleindes of in lugvertonings bedryf, voldoen aan die vlugbedryfstandaarde en -prosedures wat vir sy lede voorgeskryf word deur die nasionale liggaam wat die spesifieke lugvaartsport verteenwoordig, mits hierdie standaarde en prosedures dié insluit wat voorgeskryf word in, en nie in stryd is met, die bepalings van hierdie Deel nie.]";

(d) die vervanging in regulasie 94.06.2 vir subregulasie (1) van die volgende subregulasie:

"**94.06.2** (1) Ondanks die bepalings van—

(a) regulasie 91.03.2 en regulasie 91.03.5, mag 'n persoon 'n valskermsweeftuig bedryf sonder om 'n geldige, goedgekeurde vlughandleiding of vlugportefeulje aan boord te dra;

(b) regulasie 91.03.7, mag 'n persoon 'n valskermsweeftuig bedryf sonder 'n sertifikaat van vrystelling vir diens;

(c) subdeel 4 van Deel 91, mag 'n persoon 'n valskermsweeftuig bedryf indien **[die]** so 'n valskermsweeftuig is toegerus met—

(i) 'n veiligheidsharnas of veiligheidsgordel vir elke persoon aan boord **[die valskermsweeftuig]**;

(ii) in die geval van **[vlugte]** 'n vlug bo 500 voet AGL, 'n hoogtemeter wat akkuraat is tot [binne] ongeveer 100 voet; en

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(iii) in die geval van vlug oor water verder as sweefafstand vanaf die kus, een reddingsbaadjie of individuele dryfmiddel vir elke persoon aan boord, wat deur sodanige persone gedra word;

(d) regulasie 91.06.7 (5), **[die PIC van]** 'n valskermsweeftuig wat 'n ander valskermsweeftuig of hangsweeftuig verbysteek wat op 'n rant sweef, moet aan die rantkant van **[die]** 'n verbygesteekte valskermsweeftuig of hangsweeftuig verbysteek;

(e) regulasie 91.06.21, mag 'n persoon 'n valskermsweeftuig tot 500 voet vertikaal onder die wolke bedryf—

(i) tot 'n maksimum hoogte van 19 500 voet bokant MSL in klas G-lugruim; en

(ii) tot 'n maksimum hoogte van 19 500 voet bokant MSL in Klas E-lugruim, behalwe transponder-verpligte lugruim;

(f) regulasie 91.07.2, **[die]** 'n bevelvoerder van 'n valskermsweeftuig mag 'n valskermsweeftuig onder 500 voet AGL vlieg met die doel om op die rant te sweef indien sodanige valskermsweeftuig op 'n manier gevlieg word wat nie persone of eiendom op die grond in gevaar stel nie;

(g) **[regulasie 139.01.1 (2) (b), die vlieënier in bevel]** regulasie 139.01.1(2), mag 'n gesagvoerder van 'n valskermsweeftuig enige geskikte gebied gebruik om 'n valskermsweeftuig te lanseer: Mits toestemming verkry is van 'n eienaar van 'n terrein of 'n plaaslike owerheid met jurisdiksie; en verder met dien verstande dat in die geval van vlugopleiding of tandem-operasies, slegs 'n lanseerterrein wat deur die Direkteur [of deur die organisasie wat vir die doel aangewys is ingevolge Deel 149, na gelang van die geval], goedgekeur is, gebruik mag word.

"(2) **[Elke]** Persoon aan boord van 'n valskermsweefvliegtuig moet 'n **[diensbare, stewige,]** stewige en diensbare beskermende helm dra van 'n tipe wat goedgekeur is deur die Direkteur of deur **[die]** 'n organisasie **[aangewese]** wat vir **[die]** sodanige doel ingevolge Deel 149 goedgekeur is.";

(e) die vervanging in regulasie 94.06.9 vir subregulasie (1) en subregulasie (2) van

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die volgende subregulasies:

"**94.06.9** (1) Ondanks die bepalings van—

(a) regulasie 91.03.2 en regulasie 91.03.5, mag 'n persoon 'n hangsweeftuig bedryf sonder om 'n geldige, goedgekeurde vlughandleiding of vlugportefeulje aan boord te dra;

(b) regulasie 91.03.7, mag 'n persoon 'n hangsweeftuig bedryf sonder 'n sertifikaat van vrystelling vir diens;

(c) subdeel 4 van Deel 91, mag 'n persoon 'n hangsweeftuig bedryf indien **[die]** so 'n hangsweeftuig is toegerus met—

(i) 'n goedgekeurde veiligheidsharnas of veiligheidsgordel vir elke persoon aan boord [die hangsweeftuig];

(ii) in die geval van **[vlugte]** 'n vlug bo 500 voet AGL, 'n hoogtemeter wat akkuraat is tot [binne] ongeveer 100 voet; en

(iii) in die geval van vlug oor water, 'n reddingsbaadjie wat werklik deur elke persoon aan boord gedra word[een reddingsbaadjie vir elke persoon aan boord en wat deur sulke persone gedra word];

(d) regulasie 91.06.7 (5), **[die]** 'n persoon wat 'n hangsweeftuig bestuur, mag slegs 'n ander hangsweeftuig of 'n valskermsweeftuig wat op 'n rant sweef, aan die regterkant [kant van die ingehaalde hangsweeftuig of valskermsweeftuig] van die ingehaalde hangsweeftuig of valskermsweeftuig verbysteek;

(e) regulasie 91.06.21, **[die]** 'n persoon mag 'n hangsweeftuig tot 500 voet vertikaal onder die wolke bedryf—

(i) tot 'n maksimum hoogte van 19 500 voet bokant MSL in klas G-lugruim; en

(ii) tot 'n maksimum hoogte van 19 500 voet bokant MSL in Klas E-lugruim, behalwe transponder-verpligte lugruim;

(f) regulasie 91.06.32, mag 'n persoon 'n hangsweeftuig onder 500 voet AGL bedryf vir die doel van rugsweef: Mits sodanige

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hangsweeftuig op 'n manier gevlieg word wat nie in gevaar stel nie **[persone]** 'n persoon of eiendom op die oppervlak;

(g) **[regulasie 139.01.1 (2) (b), die bevelvoerder]** regulasie 139.01.1(2), 'n PIC van 'n hangsweeftuig mag enige geskikte gebied gebruik om 'n hangsweeftuig te lanseer: Mits toestemming verkry is van 'n eienaar van die terrein of **[die]** 'n plaaslike owerheid met jurisdiksie**[;],** en **[Met dien verstande]** verder dat in die geval van vlugopleiding of tandem-bedrywighede, slegs 'n lanseerplek **[lanseerplekke]** wat deur die Direkteur of deur **[die]** 'n organisasie **[aangewese]** wat vir [die] sodanige doel ingevolge Deel 149 goedgekeur is, na gelang van die geval, gebruik mag word."

"(2) [Elk] 'n Vlieënier en 'n passasier van 'n hangsweeftuig moet 'n stewige en bruikbare **[bruikbare, stewige,]** beskermende helm dra van 'n tipe wat goedgekeur is deur die Direkteur of deur [die] 'n organisasie **[aangewese]** wat vir die doel goedgekeur is ingevolge Deel 149.";

(f) die vervanging van regulasie 94.06.14 met die volgende regulasie:

"**94.06.14**(1) Wanneer 'n nie-tipe-gesertifiseerde vliegtuig, geklassifiseer in **[die]** paragrawe (a) tot [(g)] (f) van regulasie 24.01.1 (2), aan 'n openbare vliegdemonstrasie moet deelneem, moet [die] 'n gesagvoerder van sodanige vliegtuig die houer van 'n toepaslike vertoonmagtiging wees.

(2) [Die] Vertoonmagtiging kan uitgereik word deur dieDirekteur[of deur 'n organisasie wat vir die doel aangewys is ingevolge Deel 149, na gelang van die geval, skriftelik indien hy, sy of dit] indien die Direkteur tevrede is dat—

(a) **[die]** 'n vlieënier het die vereiste ondervinding; en

(b) **[die]** 'n Voorgestelde vertoonvolgorde kan veilig met 'n spesifieke vliegtuig uitgevoer word.

(3) 'n Vertoonmagtiging word op die voorgeskrewe vorm uitgereik en moet die vliegtuig wat gebruik gaan word, die konfigurasie daarvan, die volgorde wat gevlieg gaan word, en enige ander voorwaarde wat deur die Direkteur **[of deur**

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die organisasie wat vir die doel aangewys is ingevolge Deel 149, na gelang van die geval, by sy, haar of sy diskresie] in belang van vlug en openbare veiligheid.

(4) Die volgende inligting moet aan die Direkteur **[of die organisasie wat vir die doel aangewys is ingevolge Deel 149, na gelang van die geval,]** wanneer aansoek gedoen word vir 'n Vertoonmagtiging—

(a) **['n]** 'n opsomming van **[die]** 'n vlieënier se totale vliegervaring en besonderhede van ervaring op **[die]** 'n tipe vliegtuig wat in **[die]** 'n vertoning gevlieg sal word;

(b) **['n]** 'n gedetailleerde lys van vorige lugskou-ervaring, **[insluitend]** gebeurtenisse, datums, duur, vliegtuigtipes en reekse wat gevlieg is;

(c) **[Die]** besonderhede van **[die reekse]** 'n reeks waarvoor Vertoonmagtiging aangevra word, insluitend—

(ek) goeie weervolgorde; en

(ii) slegte weerreeks, waar die weerstoestande, soos wolkplafon, 'n beperking op die goeie weervertoningsreeks plaas.

***Nota**: **[Die reekse]** 'n Reeks moet in tekstuele en grafiese vorm ingedien word, met die minimum meteorologiese toestande vir elke reeks gespesifiseer **[.]**;*

(d) **[Die]** spesifieke prosedures wat gevolg moet word vir moontlike noodgevalle wat tydens 'n vertoning mag ontstaan, insluitend die lys van afwykingsvliegvelde; en

(e) Besonderhede van **[die]** vliegtuig in **[die]** konfigurasie om in **[die]** 'n vertoning gebruik te word, insluitend opstygmassa, opstygbrandstof en landingsbrandstof.

(5) **[Die]** 'n Aansoek om 'n Vertoonmagtiging moet gedoen word in die vorm wat voorgeskryf word in Dokument SA-CATS 94.

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(6) **[Die]** 'n Aansoek om 'n Vertoonmagtiging moet vergesel word van die toepaslike fooi soos voorgeskryf in Deel 187.

Wysiging van Deel 96 van die Regulasies

12. Deel 96 van die Regulasies word hierby gewysig deur—

(a) die skrapping in regulasie 96.01.1 vir subregulasie (6);

(b) die vervanging in die Lys van Regulasies van die volgende Lys:

"SUBDEEL 4: BEDRYFSERTIFIKAAT

96.04.1 Bedryfsertifikaat

96.04.2 Aansoek om bedryfsertifikaat

96.04.3 Beoordeling van aansoek om bedryfsertifikaat

96.04.4 **[Geldigheidsduur van bedryfsertifikaat]** Geldigheid en status van bedryfsertifikaat

96.04.5 Veiligheidsinspeksies en oudits

96.04.6 Pligte van houer van bedryfsertifikaat

96.04.7 Register van bedryfsertifikate";

(c) die vervanging van regulasie 96.04.4 met die volgende regulasie:

"**[Geldigheidsduur van bedryfsertifikaat]** **Geldigheid en status van bedryfsertifikaat**

96.04.4 (1) 'n Bedryfsertifikaat is geldig vir 'n tydperk wat deur die Direkteur bepaal word, welke tydperk nie vyf jaar mag oorskry nie, bereken vanaf die datum waarop dit uitgereik word, mits dit nie vrywillig aan die Direkteur oorhandig of andersins deur die Direkteur opgeskort of gekanselleer word nie.

(2) Tensy anders vermeld deur die Direkteur, is 'n houer van 'n bedryfsertifikaat onderworpe aan 'n voortgesette toesigprogram en sodanige bedryfsertifikaat bly geldig en van krag vir 'n tydperk van hoogstens vyf jaar. Met dien verstande dat 'n houer van 'n bedryfsertifikaat—

(a) dien 90 dae voor die vervaldatum van die bedryfsertifikaat 'n toepaslike aansoek om hernuwing en hernuwingsfooi soos voorgeskryf in Deel 187 by die Direkteur in;

(b) indien, 60 dae voor die verstryking van 'nOpSpec, 'n toepaslike aansoek vir hernuwing en jaarlikse geldeenheidsfooi soos voorgeskryf in Deel 187;

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(c) het enige bevinding wat teen sodanige houer gemaak is na aanleiding van oudits en inspeksies wat deur die Owerheid uitgevoer is, suksesvol opgelos; en

(d) voldoen steeds aan die vereistes vir die uitreiking van 'n bedryfsertifikaat soos voorgeskryf in Dokument SA-CATS 96.

(3) Versuim om aan die bepalings van subregulasie (2) te voldoen, sal lei tot 'n houervan 'n bedryfsertifikaat wat nie in aanmerking kom om die voorregte van 'n bedryfsertifikaat uit te oefen nie.

(4) Indien 'n houer van 'n bedryfsertifikaat onbevoeg raak om die voorregte soos bedoel in subregulasie (3) uit te oefen, moet die Direkteur sodanige houer skriftelik in kennis stel van die opskorting van 'n bedryfsertifikaat, en sodanige houer moet sodanige bedryfsertifikaat onmiddellik teruggee enOpSpec aan die Direkteur.

(5) 'n Bedryfsertifikaat is nie oordraagbaar nie.

(6) 'n Houer van 'n bedryfsertifikaat wat versuim om te voldoen aan die vereistes soos bepaal in subregulasie (2) of wie se bedryfsertifikaat of OpSpec teruggegee of opgeskort word, moet die redes skriftelik binne 15 werksdae na ontvangs erken en moet die bedryfsertifikaat en OpSpec onmiddellik aan die Direkteur terugbesorg.

(7) 'n Operasie ingevolge hierdie Deel mag slegs uitgevoer word deur 'n houer van 'n geldige bedryfsertifikaat enOpSpes.

(8) 'n Bedryfsertifikaat en OpSpec wat deur die Direkteur ingevolge hierdie Subdeel uitgereik word, moet ten minste 15 dae voor die verstryking van sodanige bedryfsertifikaat of OpSpec uitgereik word.

(9) 'n Hernude bedryfsertifikaat enOpSpec wat ingevolge hierdie Deel uitgereik moet word, moet ten minste 15 dae voor die verstryking van die huidige bedryfsertifikaat of OpSpec uitgereik word.

(10) In geval van vertragings in die goedkeuring van 'n bedryfsertifikaat of OpSpec ingevolge subregulasie (9), kan die Direkteur kies om 'n tydelike sertifikaat uit te reik, mits daar geen veiligheidsrisiko is nie en aan die aansoekvereistes voldoen word.".

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Wysiging van Deel 101 van die regulasies

13. Deel 101 van die Regulasies word hierby gewysig deur—

(a) die vervanging van regulasie 101.01.2 deur die volgende regulasie:

"(1) Behoudens subregulasie (2), die bepalings van—

(a) Subdele 2, 4 en 6 van hierdie Deel is nie van toepassing op die privaat bedryf van 'n onbemande lugvaartuig (UAS) nie; en

(b) regulasies 101.05.8, 101.05.10 (1) (b), (c) en (d) is nie van toepassing op die privaat bedryf van 'n UAS nie.

(2) Privaatbedrywighede van 'n UAS sal slegs in R-VLOS met 'n Klas 1A- of 1B-RPA uitgevoer word.

(3) 'n Operateur van 'n onbemande vlugstelsel (UAS) wat betrokke is by privaat bedryf mag nie gevaarlike goedere aan boord van 'n onbemande vlugstelsel (UAS) vervoer nie.";"

(b) die vervanging van die Lys van Regulasies met die volgende Lys van Regulasies:

"SUBDEEL 4: UAS-BEDRYFSERTIFIKAAT"

101.04.1 Algemene vereistes

101.04.2 Toepassing

101.04.3 Geldigheid en status van UASOC

101.04.4 Pligte van [die] houer van ['n] UASOC

101.04.5 Bedieningshandleiding

101.04.6 Dokumentasie en rekords

101.04.7 Veiligheidsbestuur

101.04.8 Sekuriteit

101.04.9 Toesig-, veiligheids- en sekuriteitsoudits en inspeksies

101.04.10 Register van bedryfsertifikate

101.04.11 Oordraagbaarheid

101.04.12 Aanspreeklikheids versekering";

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(c) die vervanging van regulasie 101.04.3 deur die volgende regulasie:

"**Geldigheid en status van UASOC**"

101.04.3(1) 'n UASOC is geldig vir 'n tydperk wat deur die Direkteur bepaal word, en sodanige tydperk mag nie vyf jaar oorskry nie, bereken vanaf die datum waarop dit uitgereik word, mits dit nie vrywillig aan die Direkteur oorhandig of andersins deur die Direkteur opgeskort of gekanselleer word nie.

(2) 'n Houer van 'n UASOC is onderworpe aan 'n voortgesette toesigprogram en die UASOC bly geldig mits 'n houer van sodanige UASOC—

(a) dien, 90 dae voor 'n UASOC-vervaldatum, 'n toepaslike aansoek om hernuwing en hernuwingsfooi in soos voorgeskryf in Deel 187;

(b) dien, 60 dae voor die verstryking van 'n OpSpec, 'n toepaslike aansoek vir hernuwing en jaarlikse geldeenheidsfooi in soos voorgeskryf in Deel 187;

(c) los enige bevinding wat teen sodanige houer gemaak is na aanleiding van oudits en inspeksies wat deur die Owerheid uitgevoer is, suksesvol op; en;

(d) voldoen steeds aan die vereistes vir die uitreiking van 'n UASOC.

(3) Versuim om aan die bepalings van subregulasie (2) te voldoen, sal daartoe lei dat 'n houer van so 'n UASOC nie in aanmerking kom om die voorregte van 'n UAS uit te oefen nie.

(4) Indien 'n houer van 'n UASOC onbevoeg raak om die voorregte soos bedoel in subregulasie (3) uit te oefen, moet die Direkteur sodanige houer skriftelik in kennis stel van die skorsing van 'n UASOC, en sodanige houer moet sodanige UASOC onmiddellik teruggee enOpSpec aan die Direkteur

(5) 'n UASOC is nie oordraagbaar nie.

(6) 'n Houer van 'n UASOC wat versuim om te voldoen aan die vereistes soos bepaal in subregulasie (2) of wie se sertifikaat of OpSpec teruggegee of opgeskort word, moet die redes skriftelik binne 15 werksdae na ontvangs erken en moet sodanige sertifikaat en OpSpec onmiddellik aan die Direkteur terugbesorg.

(7) 'n Operasie ingevolge hierdie Deel mag slegs uitgevoer word deur 'n houer van 'n geldige UASOC en OpSpec.

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(8) 'n UASOC en OpSpec wat ingevolge hierdie Deel hernu word, moet ten minste 15 dae voor die verstryking van 'n huidige UASOC en OpSpec uitgereik word.

(9) In geval van vertragings in die goedkeuring van 'n UASOC ofOpSpec ingevolge subregulasie (8), kan die Direkteur kies om 'n tydelike goedkeuring uit te reik mits daar geen veiligheidsrisiko is nie en aan die aansoekvereistes voldoen word.".

Invoeging van Deel 106 van die Regulasies

14. Deel 106 van die Regulasies word hierby ingevoeg na Deel 105 van die Regulasies—

"ONDERDEEL 1: SERTIFIKAAT VIR VLAK- EN VALSKYFERSWEGERS

106.01.1 Toepaslikheid

106.01.2 Magtiging om as vlieënier op te tree

106.01.3 Kategoriegraderings

106.01.4 Hangsweefvliegtuig-endossemente

106.01.5 Valskermsweef-endossemente

106.01.6 Endossemente en graderings vir instrukteur

106.01.7 Mediese fiksheid

106.01.8 Registrasie van vlugtyd en endossemente

106.01.9 Erkenning van vlugtyd en teoretiese kennis

106.01.10 Erkenning en validering van buitelandse lisensie, sertifikaat of magtiging deur die toepaslike owerheid van 'n ander Staat

106.01.11 Register van buitelandse vlieënier-erkenning sertifikaat

106.01.12 Lugvaart opleidings verskaffer

106.01.13 Vereistes vir leerder

106.01.14 Voorregte en beperkings van 'n leerder

106.01.15 Vereistes vir vlieënier sertifikaat

106.01.16 Handhawing van bevoegdheid

SUBDEELD 2: Hang-Sweeftuig

106.02.1 Vereistes vir hangsweefvliegtuig-endossement

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106.02.2 Voorregte en beperkings
106.02.3 Hangsweefvliegtuig-omskakeling
SUBDEELD 3: SWELSKYFER
106.03.1 Vereistes vir valskermsweef-endossement
106.03.2 Voorregte en beperkings
106.03.3 Omskakeling van 'n valskermsweeftuig
SUBDEELD 4: INSTRUKTEUR GRAADERING
106.04.1 Vereistes vir endossement vir assistent-vluginstrukteur as valskermsweeftoestel
106.04.2 Vereistes vir 'n tandem-vluginstrukteur-gradering vir 'n valskermsweeftuig
106.04.3 Vereistes vir 'n paraglider Graad B-vluginstrukteur gradering
106.04.4 Vereistes vir 'n paraglider Graad A-vluginstrukteurgradering
106.04.5 Vereistes vir endossement vir assistent-vluginstrukteur in hangsweeftuig
106.04.6 Vereistes vir hangsweefvliegtuig Graad C-vluginstrukteurgradering
106.04.7 Vereistes vir hangsweefvliegtuig Graad A en B-vluginstrukteurgradering
106.04.8 Instrukteurvoorregte en beperkings
106.04.9 Instrukteur-omskakeling
106.04.10 Geldigheidsduur van vlieginstrukteur-gradering
106.04.11 Hernuwing van vluginstrukteur-gradering

SUBDEEL 1: VLIEGVLIEG- EN VALSKYFVLIEGSERTIFIKAAT

Toepaslikheid

106.01.1(1) Hierdie Deel is van toepassing op–

(a) die uitreiking van vlieëniersertifikate, kategoriegraderings en endossemente vir valskermsweeftuie en hangsweeftuie;

(b) die erkenning en validering van 'n buitelandse lisensie of sertifikaat uitgereik deur 'n toepaslike owerheid van 'n buitelandse staat, met dien verstande dat 'n houer van sodanige lisensie of sertifikaat slegs die voorregte van daardie lisensie of sertifikaat mag uitoefen; en

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(c) die erkenning van 'n persoon wat 'n internasionale vlieënier se bekwaamheidsidentifikasie besit wat deur die Federation Aeronautiqué Internationale erken word vir die doeleindes van deur die Federation Aeronautiqué Internationale goedgekeurde geleenthede, of by 'n geleentheid wat uitgevoer word ingevolge 'n prosedure handleiding wat deur die Direkteur goedgekeur is.

Magtiging om as vlieënier op te tree

106.01.2(1) 'n Persoon mag nie as 'n vlieënier van 'n hangsweeftuig, valskermsweeftuig of aangedrewe valskerm wat ingevolge hierdie Deel gereguleer word, binne die grense van die Republiek of sy territoriale waters optree nie, tensy sodanige persoon—

(a) 'n relevante geldige vlieënier sertifikaat en 'n endossement wat ingevolge hierdie Deel uitgereik is, besit; of

(b) ondergaan opleiding as 'n leerder by 'n goedgekeurde DTO, en onder die beskerming van 'n goedgekeurde ARO vir die doel.

Kategoriegraderings

106.01.3(1) Vir die doeleindes van hierdie Deel, is kategoriegraderings–

(a) hang-sweefvliegtuie; en

(b) valskermsweeftuie.

Hang-sweefvliegtuig-endossemente

106.01.4(1) 'n Hang-sweeftuig-endossement wat ingevolge hierdie Deel uitgereik word, is soos volg:

(a) beginner-endossement;

(b) 'n Endossement;

(c) B-endossement;

(d) C-endossement;

(e) tandem-endossement;

(f) magsendossement;

(g) wiel-endossement;

(h) heuwel-endossement;

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(i) lier-endossement;

(j) lugvaart-endossement; en

(k) toon endossement.

(2) 'n Hangsweefvliegtuigvlieënier wat met 'n beginner-endossement uitgereik is, mag slegs-

(a) vlieg aan'nbasiese gegradeerde webwerf; en

(b) vlieg 'n intreevlak-hangsweeftuig of 'n hangsweeftuiggedefinieerdeur 'n vervaardiger as geskik vir gebruikdeur'n intreevlak-vlieënier.

(3) 'n Hangsweef vliegtuig vlieënier wat met 'n A-endossement uitgereik is, mag slegs–

(a) vlieg aan 'n basiese gegradeerde webwerf; en

(b) vlieg 'n basiese gegradeerde hangsweeftuig of 'n hangsweeftuig gedefinieer deur 'n vervaardiger as geskik vir gebruikdeur 'n intreevlak-vlieënier.

(4) 'n Hangsweef vliegtuig vlieënier wat met 'n B-endossement uitgereik is, mag slegs-

(a) vlieg op 'n terrein watisbasiese of intermediêre gradering; en

(b) vlieg'n hangsweefvliegtuig soos gedefinieer deur die vervaardiger as geskik vir die gebruik van 'n intermediêre vlak vlieënier.

(5) 'n Hangsweef vliegtuig vlieënier wat met 'n C-endossement uitgereik is, mag op enige terrein vlieg.

(6) 'n Hangsweeftuigvlieënier wat met 'n tandem-endossement uitgereik is, mag in 'n tandem-konfigurasie vlieg by enige plek op enige hangsweeftuig wat geskik is vir tandemvlug.

(7) 'n Hangsweef vliegtuig vlieënier wat met 'n kragendossement uitgereik is, mag met enige vorm van aangedrewe enjin wat geskik is vir hangsweef, lanseer en vlieg.

(8) 'n Hangsweef vliegtuig vlieënier wat met 'n wiel-endossement uitgereik is, mag met wiele wat aan hul toerusting geheg is, lanseer en vlieg.

(9) 'n Hangsweef vliegtuig vlieënier wat met 'n heuwel-endossement uitgereik is, mag vanaf enige heuwel of berg lanseer en vlieg.

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(10) 'n Hangsweef vliegtuig vlieënier met 'n lier-endossement mag op 'n lier te water laat.

(11) 'n Hangsweef vliegtuig vlieënier wat met 'n sleepwa-endossement uitgereik is, mag deur middel van sleepwa lanseer en vlieg.

(12) 'n Hangsweef vliegtuig vlieënier iuitgereik met 'n vertoonendossement mag vliegmaneuvers aan die publiek vertoon.

Valskermsweef-endossemente

106.01.5(1) 'n Parasweefvliegtuig kan met die volgende endossemente uitgereik word:

(a) basiese endossement;

(b) intermediêre endossement;

(c) sportonderskrywing;

(d) tandem-endossement;

(e) magsendossement;

(f) wiel-endossement;

(g) heuwel-endossement;

(h) lier-endossement; en

(i) toon endossement.

(2) 'n p 'n sweeftuigvlieënier wat met 'n basiese endossement uitgereik is, mag slegs -

(a) vlieg op 'n terrein wat 'n basiese gegradeerde terrein is en 'n ander terrein wat aan die spesifieke terreinvereistes voldoen; en

(b) vlieg 'n basiese gegradeerde valskermsweeftuig of valskermsweeftuig wat deur 'n vervaardiger gedefinieer is as geskik vir die gebruik van 'n basiese of intreevlak-vlieënier.

(3) 'n Parasweef vliegtuig vlieënier wat met 'n intermediêre endossement uitgereik is, mag—

(a) vlieg op 'n terrein watisbasiese of intermediêre gegradeerdeofander webwerf, verskaf 'n vlieënier voldoen aan die spesifieke terreinvereistes; en

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(b) 'n landvlug of 'n valskermsweeftuig vlieg wat deur 'n vervaardiger gedefinieer is as geskik vir gebruik deur 'n intermediêre vlak vlieënier.

(4) 'n Valskermsweefvlieënier wat met 'n sportendossement uitgereik is, mag enige terrein op enige valskermsweeftuig vlieg.

(5) 'n Valskermsweef vliegtuig vlieënier wat met 'n tandem-endossement uitgereik is, mag in 'n tandem-konfigurasie vlieg by enige terrein op enige valskermsweeftuig wat geskik is vir tandemvlug.

(6) 'n Valskermsweefvlieënier wat met 'n kragendossement uitgereik is, mag met enige vorm van aangedrewe enjin wat geskik is vir valskermsweef, lanseer en vlieg.

(7) 'n Valskermsweefvlieënier wat met 'n wiel-endossement uitgereik is, mag met wiele wat aan hul toerusting geheg is, lanseer en vlieg.

(8) 'n Valskermsweefvlieënier wat met 'n heuwel-endossement uitgereik is, mag vanaf enige heuwel of berg lanseer en vlieg.

(9) 'n Valskermsweefvlieënier met 'n lier-endossement mag op 'n lier te water laat.

(10) 'n Valskermsweefvliegtuigvlieënier wat met 'n vertoonendossement uitgereik is, mag vliegmaneuvers aan die publiek vertoon.

Endossemente en graderings vir instrukteur

106.01.6 (1) 'n Vluginstrukteur-endossement of -gradering is vir—

(a) endossement vir assistent-vluginstrukteur;

(b) tandem-vluginstrukteur-gradering;

(c) Graad C-vluginstrukteur-gradering;

(d) Graad B-vluginstrukteurgradering; en

(e) Graad A-vluginstrukteur-gradering.

Mediese fiksheid

106.01.7 'n Houer van 'n sertifikaat wat ingevolge hierdie Deel uitgereik is, moet 'n toepaslike geldige mediese sertifikaat besit wat ingevolge Deel 67 uitgereik is.

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Registrasie van vlugtyd en endossemente

106.01.8(1) 'n Houer van 'n vlieëniersertifikaat wat ingevolge hierdie Deel uitgereik is, moet 'n rekord van vlugtyd en instruksietyd byhou soos voorgeskryf in Dokument SA-CATS 106.

(2) 'n Leerder,ekn terme vanhierdie Deel,moet 'n rekord van opleidingsvlugte byhou soos voorgeskryf in Dokument SA-CATS 106.

(3) 'n Persoon wat 'n bevoegdheidstoets of enige ander assessering wat ingevolge hierdie Deel vereis word, uitvoer, moet 'n vlieënierlogboek endosseer soos voorgeskryf in Dokument SA-CATS 106.

(4) 'n Elektroniese vlieënierlogboek mag gebruik word, mits die elektroniese data ten minste elke 90 dae op papier gedruk word en die gedrukte bladsye opeenvolgend in 'n lêer geliasseer word.

(5) 'n Elektroniese vlieënierlogboek moet digitale rugsteun beskikbaar hê om te verseker dat geen data verlore gaan nie.

Erkenning van vlugtyd en teoretiese kennis

106.01.9 (1) Waar 'n vlieënierlogboek verlore of vernietig word, moet sodanige vlieënier die Direkteur versoek om die vlugtyd wat in 'n verlore vlieënierlogboek aangeteken is, te krediteer.

(2) Die Direkteur mag slegs vlugtyd krediteerwat ingevoer is in 'nverlore of vernietigde vlieënierlogboekindien sulke vlugtydword gestaaf deur aanvaarbare middele soos bepaal deur die Direkteur.

(3) 'n Aansoeker vir 'n vlieëniersertifikaat of instrukteurgradering in een kategoriegradering, kan erkenning kry vir vorige leerervaring wat van 'n ander kategoriegradering opgedoen is op skriftelike aanbeveling van 'n instrukteurgedragsbeampte.ingopleiding vir sodanige aansoeker.

(4) 'n Aansoeker vir 'n endossement in 'n spesifieke kategorie kan erkenning kry vir ondervinding wat opgedoen is op die skriftelike aanbeveling van 'n instrukteur se gedragskode.ingopleiding vir sodanige aansoeker.

(5) 'n Houer van 'n sertifikaat of endossement met 'n spesifieke kategoriegradering kan erkenning kry vir sommige van die teoretiese kennis vir die ander kategoriegradering.

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(6) 'n Houer van 'n NPL met die gewigverskuiwingsbeheerde mikroligte endossement soos bepaal in Deel 62, kan erkenning kry vir alle vorige leer en ervaring met betrekking tot'nhangsweefvliegtuig kategorie gradering.

(7) 'n Leerder, ingevolge dieis Deel,sal ten volle gekrediteer word vir solo-vlugtyd en dubbele vluginstruksietyd teen die totale vlugtyd wat vereis word vir die uitreiking van 'n hangsweeftuig- of valskermsweeftuigsertifikaat.

Erkenning en validering van buitelandse lisensie, sertifikaat of magtiging uitgereik deur die toepaslike owerheid van 'n ander Staat

106.01.10(1) Die Direkteur mag 'n lisensie, sertifikaat of magtiging wat uitgereik of erken is deur 'n toepaslike owerheid van 'n ander Staat, bekragtig, mits die standaard wat deur sodanige owerheid gevolg word, gelykstaande is aan of hoër is as die standaard wat ingevolge hierdie Deel vasgestel is.

(2) 'n Aansoek om erkenning en geldigmaking van 'n buitelandse lisensie, sertifikaat of magtiging wat deur 'n ander Staat uitgereik is, moet op die voorgeskrewe vorm by die Direkteur ingedien word. en sal vergesel word deur–

(a) 'n afskrif van 'n betrokke buitelandse lisensie, sertifikaat of magtiging;

(b) 'n opsomming van die aansoeker se vlieënierlogboek soos voorgeskryf in Dokument SA-CATS 106; en

(c) 'n afskrif van die internasionale vlieënierbekwaamheidsidentifikasiekaart uitgereik deur die Federation Aeronautiqué Internationale, soos van toepassing.

(3) Die Direkteur kan 'n aansoeker 'n buitelandse vlieënier-erkenningsertifikaat uitreik, mits –

(a) die standaarde van 'n buitelandse lisensie, sertifikaat, ofmagtigingis ekwivalent of hoër as die standaarde van hierdie Deel;

(b) sodanige aansoeker se versoek om 'n buitelandse vlieënier-erkenningsertifikaat nie voorheen deur die Direkteur geweier is nie; of

(c) sodanige aansoeker se buitelandse vlieënier-erkenningsertifikaat is te eniger tyd deur die Direkteur herroep.

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(4) 'n Houer van 'n buitelandse vlieënier-erkenningsertifikaat mag die voorregte van sodanige sertifikaat uitoefen en moet voldoen aan die toepaslike bepalings van hierdie Deel.

Register van buitelandse vlieënier-erkenningsertifikate

106.01.11 (1) Die Direkteur moet 'n register van buitelandse vlieënier-erkenningsertifikate byhou wat ingevolge hierdie Deel uitgereik is.

(2) 'n Register waarna in subregulasie (1) verwys word, moet die buitelandse erkenningsregistrasienommers, uitreikingsdatums, sowel as die volgende inligting van 'n houer bevat:

(a) volle naam;

(b) geboortedatum;

(c) pos- en woonadres;

(d) nasionaliteit; en

(e) nasionale identifikasienommer of paspoortnommer.

Lugvaartopleidingsverskaffer

106.01.12(1) Opleiding vir 'n vlieëniersertifikaat, kategoriegradering en endossement moet deur 'n DTO uitgevoer word wat deur dieDirekteur.

(2) 'n Goedgekeurde DTO moet verseker dat 'n opleiding wat ingevolge subregulasie (1) aangebied word, deur 'n toepaslik gegradeerde instrukteur aangebied word.

Vereistes vir 'n leerder

106.01.13(1) 'n Leerder ingevolge hierdie Deel moet –

(a) 14 jaar of ouer wees, indien solo-vlugopleiding ondergaan; of

(b) 10 jaar of ouer wees, indien u solo-vlugopleiding in duinesweef onder direkte toesig van 'n vlieginstrukteur ondergaan.

(2) Indien'n leerder waarna verwys word insubregulasie (1) 'n minderjarige is, moet 'n wettige voog 'n toestemmingsbrief verskaf wat die aanvaarding van aanspreeklikheid vir skade of besering aan persone of eiendom, op die grond of in die lug, verklaar voordat sodanige sertifikaat uitgereik word.

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Voorregte en beperkings van leerder

106.01.14(1) 'n Leerling ingevolge hierdie Deel mag solo- of dubbelvlugopleiding ondergaan vir die uitreiking van 'n vlieëniersertifikaat, kategoriegradering of endossement, mits die opleiding uitgevoer word –

(a) in die kategorie-gradering waarvoor 'n vlieëniersertifikaat aangevra word;

(b) in die geval van 'n solovlug, onder toesig en soos gemagtig ingevolge hierdie Deel; en

(c) VMC bedags.

(2) In die geval van 'n tandem-endossement-opleidingsmagtiging, moet 'n leerder saam met 'n toepaslik geëndosseerde tandem-vluginstrukteur vlieg soos bepaal in die volgorde van die opleidingsillabus.

(3) 'n Leerling mag nie 'n solo-oorlandvlug onderneem tensy so 'n leerder opleiding soos voorgeskryf in Dokument SA-CATS 106 suksesvol voltooi het nie.

(4) Behalwe in geval van 'n noodgeval, moet 'n leerder vanaf 'n geskikte opleidingsterrein land en opstyg.

Vereistes vir vlieëniersertifikaat

106.01.15(1) 'n Aansoeker vir die uitreiking van 'n vlieëniersertifikaat moet –

(a) 16 jaar of ouer wees;

(b) 'n geldige mediese sertifikaat besit wat uitgereik is ingevolge Deel 67;

(c) opleiding vir 'n vlieëniersertifikaat soos voorgeskryf in Dokument SA-CATS 106 suksesvol voltooi het;

(d) die teoretiese kennis-eksamen geslaag het soos voorgeskryf in Dokument SA-CATS 106; en

(e) 'n bevoegdheidstoets met 'n Graad A- of Graad B-vluginstrukteur geslaag het.

(2) 'n Aansoek om die uitreiking van 'n vlieëniersertifikaat moet by die Direkteur op die toepaslike vorm ingedien word en moet vergesel word van –

(a) 'n afskrif van 'n aansoeker se ID of paspoort;

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(b) 'n geldige mediese sertifikaat uitgereik ingevolge Deel 67;

(c) bewys dat 'n aansoeker aan die opleidingsvereistes van hierdie Deel voldoen het;

(d) bewys dat 'n aansoeker die voorgeskrewe teoretiese kennis-eksamen geslaag het;

(e) 'n afskrif van 'n logboek wat alle opleiding toon, akkuraat opgesom soos voorgeskryf in Dokument SA-CATS 106;

(f) 'n onlangse paspoortgrootte foto van 'n aansoeker; en

(g) bewys van betaling van 'n toepaslike fooi soos voorgeskryf in Deel 187.

(3) Die Direkteur kan 'n vlieëniersertifikaat uitreik indien 'n aansoeker aan al die vereistes van hierdie Deel voldoen.

(4) 'n Vlieëniersertifikaat wat ingevolge subregulasie (3) uitgereik is, is vir 'n onbepaalde tydperk geldig, mits 'n houer –

(a) behou 'n geldige mediese sertifikaat wat uitgereik is ingevolge Deel 67;

(b) voldoen aan die handhawing van bevoegdheidsvereistes van hierdie Deel; en

(c) betaal die toepaslike geldeenheidsfooi soos voorgeskryf in Deel 187.

(5) 'n Houer van 'n vlieëniersertifikaat wat ingevolge hierdie Deel uitgereik is, mag as 'n gesagvoerder van 'n vliegtuig optree in 'n kategorie waarvoor sodanige houer in VMC bedags gegradeer is, mits sodanige houer voldoen aan die toepaslike endossementvereistes van hierdie Deel.

(6) 'n Aansoeker vir 'n vlieëniersertifikaat sal 'n kategorie-gradering ontvang waarvoor 'n sertifikaat aangevra word.

(7) Waar 'n houer van een kategoriegradering aansoek doen vir 'n byvoeging tot 'n ander kategoriegradering, moet sodanige houer—

(a) opleiding ondergaan soos voorgeskryf in Dokumente SA-CATS 106, en

(b) dokumentasie soos vereis ingevolge hierdie Subdeel, binne 60 dae aan die Direkteur voorlê.

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Handhawing van bevoegdheid

106.01.16(1) 'n Bevoegdheid van 'n houer van 'n vlieëniersertifikaat vir 'n hangsweeftuig of valskermsweeftuig word gehandhaaf indien, binne 24 maande vanaf die datum van uitreiking van sodanige sertifikaat of die datum van die laaste bevoegdheidstoets, sodanige houer—

(a) nie minder nie as 5 vlugte of 5 uur as 'n gesagvoerder voltooi het, waarvan nie minder nie as 2 vlugte of twee uur in die laaste 10 dae moes gewees het;

(b) nie minder nie as 40 vlugte of 10 uur op tandem-sweeftuie voltooi het, waarvan nie minder nie as 2 vlugte in die laaste 10 dae moes gewees het; of

(c) 'n bevoegdheidstoets geslaag soos voorgeskryf in Dokument SA-CATS 106.

(2) 'n Houer van 'n hangsweeftuig- of valskermsweeftuig-vlieëniersertifikaat wat ten minste 3 uur per jaar vir 'n opeenvolgende tydperk van 60 maande as 'n gesagvoerder van 'n hangsweeftuig of valskermsweeftuig, na gelang van die geval, voltooi het, word as bevoeg geag.

(3) Die bepalings van subregulasie (1) is nie van toepassing op 'n houer van 'n hangsweeftuig- of valskermsweeftuig-vlieëniersertifikaat wat as bevoeg geag word ingevolge subregulasie (2) nie.

(4) 'n Houer van 'n vlieëniersertifikaat wat ingevolge hierdie Deel uitgereik is en wat nie vir 'n tydperk van 60 maande of langer gevlieg het nie, moet 'n relevante teoretiese kenniseksamen en relevante bevoegdheidstoets slaag soos voorgeskryf in Dokument SA-CATS 106 om bevoegdheid te handhaaf.

SUBDEELD 2: Hangsweeftuig

Vereistes vir hangsweefvliegtuig-endossement

106.02.1(1) 'n Aansoeker vir 'n vlieëniersertifikaat met die hangsweeftuigkategorie-gradering kan 'n endossement ontvang na die suksesvolle voltooiing van die vereistes soos voorgeskryf in Dokument SA-CATS 106.

(2) 'n Aansoeker vir die byvoeging van 'n endossement moet—

(a) ondervinding opgedoen soos voorgeskryf in Dokument SA-CATS

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106;

(b) suksesvol voltooide opleiding soos voorgeskryf in Dokument SA-CATS 106;

(c) die teoretiese kennis-eksamens geslaag soos voorgeskryf in Dokument SA-CATS 106; en

(d) 'n bevoegdheidstoets geslaag het wat deur 'n houer van 'n hangsweeftuig-vluginstrukteur-endossement uitgevoer is.

(3) 'n Persoon wat 'n hangsweeftuig B-endossement benodig, moet 'n houer van 'n hangsweeftuig wees.'n Endossement vir ten minste ses maande.

(4) 'n Persoon wat 'n hangsweeftuig C-endossement benodig, moet vir ten minste ses maande 'n houer van 'n hangsweeftuig B-endossement wees.

(5) 'n Persoon wat 'n hangsweeftuig-tandem-endossement benodig, moet 'n houer van 'n hangsweeftuig C-endossement wees.

(6) 'n Persoon wat 'n byvoeging tot 'n endossement benodig, moet die Direkteur in 'n gepaste vorm van sodanige endossement in kennis stel binne 90 dae na ontvangs van sodanige endossement van 'n graderings instrukteur.

Voorregte en beperkings

106.02.2(1) 'n Houer van 'n vlieëniersertifikaat met 'n hangsweeftuigkategorie-gradering mag, soos van toepassing —

(a) optree as 'n bevelvoerder van 'n hangsweeftuig;

(b) 'n hangsweeftuig bedryf onder direkte toesig van 'n houer van 'n vlieginstruksie-gradering;

(c) 'n hangsweeftuig bedryf onder toesig van 'n hangsweeftuigvlieënier met 'n C-endossement.

(2) 'n Houer van 'n vlieëniersertifikaat met die hangsweeftuigkategorie-gradering en 'n hangsweeftuig A-, B- of C-endossement mag as 'n gesagvoerder van 'n hangsweeftuig optree in ooreenstemming met die endossemente wat by 'n vlieëniersertifikaat gevoeg is binne Klas F- en Klas G-lugruim.

(3) Sodra 'n endossement in 'n vlieënierlogboek aangeteken is, mag 'n houer van 'n vlieëniersertifikaat die voorregte van 'n endossement soos aangeteken uitoefen.

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Hangsweefvliegtuig-omskakeling

106.02.3(1) 'n Houer van 'n vlieëniersertifikaat wat van een kategorie-gradering na 'n ander wil omskakel, moet voldoen aan die opleidingsvereistes soos voorgeskryf in Dokument SA-CATS 106.

(2) 'n Houer van 'n vlieëniersertifikaat waarna in subregulasie (1) verwys word, kan krediete kry vir die teoretiese kennis-eksamen en opleidingsvereistes gebaseer op 'n skriftelike aanbeveling van 'n instrukteur.

SUBDEELD 3: SWELSKYFER

Vereistes vir valskermsweef-endossement

106.03.1(1) 'n Aansoeker vir 'n vlieëniersertifikaat met 'n valskermsweefkategorie-gradering kan 'n valskermsweef-endossement ontvang na suksesvolle voltooiing van die vereistes soos voorgeskryf in Dokument SA-CATS 106.

(2) 'n Aansoeker vir 'n byvoeging tot 'n valskermsweef-endossement moet –

(a) die ervaring soos voorgeskryf in Dokument SA-CATS 106;

(b) suksesvol voltooide opleiding soos voorgeskryf in Dokument SA-CATS 106;

(c) die teoretiese kennis-eksamen geslaag soos voorgeskryf in Dokument SA-CATS 106; en

(d) 'n bevoegdheidstoets geslaag het wat deur 'n houer van 'n valskermsweefvlieg instrukteur-endossement uitgevoer is.

(3) 'n Houer van 'n vlieëniersertifikaat met 'n valskermsweefkategorie-gradering wat 'n intermediêre endossement wil ontvang, moet 'n basiese endossement vir ten minste ses maande hou en die ondervinding opgedoen het wat in Dokument SA-CATS 106 voorgeskryf word.

(4) 'n Houer van 'n vlieënier sertifikaat met 'n valskermsweef kategorie-gradering wat 'n sport-endossement wil ontvang, moet 'n intermediêre endossement vir ten minste 12 maande hou en die ondervinding opgedoen het wat in Dokument SA-CATS 106 voorgeskryf word.

(5) 'n Houer van 'n vlieëniersertifikaat met 'n valskermsweef kategorie-gradering wat 'n tandem-endossement wil ontvang, moet –

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(a) 'n vlieëniersertifikaat met 'n valskermsweef kategorie-gradering vir ten minste 24 maande besit;

(b) 'n sport-endossement vir ten minste 12 maande hê;

(c) 'n geldige mediese sertifikaat besit wat uitgereik is ingevolge Deel 67; en

(d) die ondervinding opgedoen het soos voorgeskryf in Dokument SA-CATS 106.

Voorregte en beperkings

106.03.2(1) 'n Houer van 'n vlieëniersertifikaat met 'n valskermsweef kategorie-gradering–

(a) mag as bevelvoerder van 'n valskermsweeftuig binne Klas F- en Klas G-lugruimtes optree;

(b) mag 'n valskermsweeftuig sonder hulp op enige terrein bedryf in ooreenstemming met die voorgeskrewe beperkings van sodanige terrein; en

(c) sal beperk word tot die bedryf van 'n valskermsweeftuig wat geskik is vir sodanige houer se gradering en endossement.

(2) 'n Houer van 'n vlieëniersertifikaat met 'n valskermsweef kategorie-gradering moet te alle tye 'n valskermsweeftuig bedryf in ooreenstemming met 'n vervaardiger se instruksies en aanbevelings, insluitend 'n gespesifiseerde massabereik.

(3) 'n Houer van 'n vlieëniersertifikaat met 'n valskermsweef kategorie-gradering en 'n sportendossement mag opleiding as 'n valskermsweefassistent-vluginstrukteur onder toesig van 'n A- of B-gegradeerde valskermsweefvlieg-vluginstrukteur onderneem.

(4) 'n Houer van 'n tandem-paraglider-endossement word toegelaat om as 'n gesagvoerder van 'n tandem-paraglider op te tree terwyl hy 'n passasier vervoer, mits:

(a) die eerste drie vlugte moet uitgevoer word met 'n passasier wat 'n geldige valskermsweeftuig sertifikaat met 'n tandem-endossement besit; en

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(b) Na voltooiing van die eerste drie vlugte waarna in paragraaf (a) verwys word, moet 'n houer van 'n tandem-paraglider-endossement goedkeuring van 'n relevante veiligheidspaneel van 'n goedgekeurde organisasie verkry om die oorblywende vlugte te voltooi wat uitgevoer mag word met 'n passasier wat 'n geldige paraglider-sertifikaat besit.

(5) Ondanks die bepalings van subregulasies (1) en (2), kan die Direkteur addisionele ervaringsvereistes vir spesifieke valskermsweefvliegtuie oplê.

(6) Sodra 'n endossement in 'n vlieënier logboek aangeteken is, mag 'n houer van 'n vlieënier sertifikaat die voorregte van sodanige endossement uitoefen.

Valskermsweeftuig-omskakeling

106.03.3(1) 'n Houer van 'n hangsweeftuig kategorie sertifikaat wat na 'n valskermsweeftuigkategorie wil omskakel, moet voldoen aan die opleidingsvereistes soos voorgeskryf in Dokument SA-CATS 106.

(2) 'n Houer van 'n hangsweeftuig kategorie sertifikaat waarna in subregulasie (1) verwys word, kan krediet kry vir enige relevante teoretiese kenniseksamen en opleidingsvereiste op skriftelike aanbeveling van 'n instrukteur.

SUBDEELD 4: INSTRUKTEUR GRAADERING

Vereistes vir endossement vir assistent-vluginstrukteur as valskermsweeftoestel

106.04.1(1) 'n Aansoeker vir die uitreiking van 'n paraglider-assistent-vluginstrukteur-endossement moet –

(a) 'n houer van 'n intermediêre paraglider-endossement wees vir 'n minimum tydperk van 12 maande; en

(b) volledige assistent-instrukteur-inleiding soos voorgeskryf in Dokument SA-CATS 106.

Vereistes vir 'n tandem-vluginstrukteur-gradering vir 'n valskermsweeftuig

106.04.2(1) 'n Aansoeker vir die uitreiking van 'n tandem-vluginstrukteur-gradering vir 'n valskermsweeftuig moet –

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(a) 'n paraglider-tandem-endossement vir 'n minimum tydperk van 12 maande besit; en

(b) 'n minimum van 500 vlugte op valskermsweeftuie voltooi het, waarvan 'n minimum van 150 vlugte en 'n minimum van 50 vliegure op tandem-valskermsweeftuie voltooi moet wees.

Vereistes vir 'n paraglider Graad B-vluginstrukteur gradering

106.04.3(1) 'n Aansoeker vir die uitreiking van 'n paraglider Graad B-vluginstrukteur-gradering moet –

(a) 'n vlieëniersertifikaat met 'n valskermsweefkategorie-gradering vir 'n minimum tydperk van 24 maande besit;

(b) 'n houer van 'n sport-endossement wees vir 'n minimum tydperk van 12 maande;

(c) 'n houer van 'n paraglider-assistent-vluginstrukteur-endossement wees vir 'n minimum tydperk van ses maande;

(d) 'n minimum van 500 vlugte en 'n minimum van 100 vliegure op valskermsweeftuie voltooi het; en

(e) 'n opleidingsinternskap by 'n aanvaarde paraglider-opleidingsorganisasie vir 'n minimum tydperk van 10 dae voltooi het soos voorgeskryf in Dokument SA-CATS 106.

Vereistes vir 'n paraglider Graad A-vluginstrukteur gradering

106.04.4 (1) 'n Aansoeker vir die uitreiking van 'n paraglider Graad A-vluginstrukteur-gradering moet –

(a) 'n Graad B-vlieginstrukteur-gradering vir 'n paraglider en 'n tandem-vlieginstrukteur-gradering vir 'n minimum tydperk van 24 maande hou; en

(b) 'n aanvanklike opleiding uitgevoer en voltooi het met die oog op die uitreiking van ten minste 50 valskermsweeftuig-vlieëniersertifikate.

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Vereistes vir endossement vir assistent-vluginstrukteur in hangsweeftuig

106.04.5 (1) 'n Aansoeker vir die uitreiking van 'n hangsweeftuig-assistent-vluginstrukteur-endossement moet –

(a) 'n houer van 'n hangsweeftuig B-endossement wees vir 'n minimum tydperk van 12 maande; en

(b) 'n assistent-instrukteur-inleiding voltooi het soos voorgeskryf in Dokument SA-CATS 106.

Vereistes vir hangsweefvliegtuig Graad C-vluginstrukteurgradering

106.04.6 (1) 'n Aansoeker vir die uitreiking van 'n hangsweefvliegtuig Graad C-vluginstrukteurgradering moet –

(a) 'n vlieëniersertifikaat met 'n hangsweeftuigkategorie-gradering vir 'n minimum tydperk van 24 maande hou;

(b) 'n houer van 'n hangsweeftuig C-endossement wees vir 'n minimum tydperk van 12 maande; en

(c) 'n opleidingsinternskap by 'n goedgekeurde hangsweefvliegopleidingsorganisasie vir 'n minimum tydperk van 10 dae voltooi het soos voorgeskryf in Dokument SA-CATS 106.

Vereistes vir hangsweefvliegtuig Graad A en B-vluginstrukteurgradering

106.04.7 (1) 'n Aansoeker vir die uitreiking van 'n hangsweefvliegtuig Graad A- of B-vluginstrukteurgradering moet –

(a) 'n houer wees van 'n hangsweeftuig Graad C-vluginstrukteur-gradering vir 'n minimum tydperk van 12 maande;

(b) in die geval van 'n aansoeker vir Graad B, 'n minimum van 30 vlugte of 'n minimum van 100 vliegure op hangsweeftuie aanteken;

(c) in die geval van 'n aansoeker vir Graad A, 'n minimum van 500 vlugte of 'n minimum van 300 vliegure op hangsweeftuie aanteken; en

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(d) 'n opleidingsinternskap by 'n goedgekeurde hangsweefvliegopleidingsorganisasie vir 'n minimum tydperk van 10 dae voltooi het soos voorgeskryf in Dokument SA-CATS 106.

Instrukteur voorregte en beperkings

106.04.8 (1) 'n Houer van 'n vlieginstrukteur-gradering mag vlieginstruksie uitvoer in ooreenstemming met die endossemente wat by 'n vlieënierlogboek of vlieëniersertifikaat gevoeg is, soos van toepassing.

(2) 'n Assistent-hangsweef- of valskermsweefvlieginstrukteur mag –

(a) help met grondopleiding en grondafskuimvlugte;

(b) huidige teoretiese opleiding;

(c) toesig hou oor 'n opleidingsvlug, mits sodanige assistent-hangsweefvlieger reeds 'n houer van 'n vlieëniersertifikaat is of in die geval van 'n valskermsweefvlieger reeds 'n houer van 'n beginner-endossement is;

(d) toesig hou oor 'n opleidingsvlug, mits sodanige aansoeker reeds 'n loodsertifikaat of in die geval van 'n valskermsweeftuig reeds 'n basiese endossement het; en

(e) toesig hou oor 'n opleidingsvlug van die begin af onder die direkte toesig van 'n Graad A-, B- of C-vluginstrukteur, soos van toepassing.

(3) 'n Tandem-vluginstrukteur mag slegs vlugopleiding gee.

(4) 'n Houer van 'n Graad B-vluginstrukteur-gradering mag opleiding vir enige endossement en gradering aanbied, uitgesonderd 'n Graad A-vluginstrukteur-gradering.

(5) 'n Houer van 'n Graad A-vluginstrukteur-gradering mag opleiding vir enige endossement en gradering aanbied.

Instrukteur-omskakeling

106.4.9 'n Aansoeker wat van 'n valskermsweef-instrukteur-gradering na 'n hangsweef-instrukteur-gradering of andersom wil omskakel, moet voldoen aan

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die opleidings- en teoretiese kennis-eksamenvereistes soos voorgeskryf in Dokument SA-CATS 106.

Geldigheidsduur van vlieginstrukteur-gradering

106.4.10 'n Vluginstrukteur-gradering is geldig vir 'n tydperk van hoogstens 24 maande vanaf die datum van uitreiking of die datum van die laaste hervalidering.

Hernuwing van vluginstrukteur-gradering

106.04.11 (1) 'n Houer van 'n vlieëniersertifikaat wat van voorneme is om 'n vlieginstrukteur-gradering te hernu, moet –

(a) 'n instrukteurseminaar bygewoon het wat binne 24 maande onmiddellik voor die vervaldatum van die gradering deur 'n goedgekeurde ARO onder die beskerming van die Owerheid aangebied is;

(b) nie minder nie as drie vlieginstruksie-ure binne die voorafgaande 24 maande gegee het, waarvan een uur binne die 12 maande onmiddellik voor die vervaldatum van sodanige gradering moes gewees het; of

(c) 'n bevoegdheidstoets ondergaan het soos voorgeskryf in Dokument SA-CATS 106.".

Wysiging van Deel 108 van die Regulasies

15. Deel 108 van die regulasies word gewysig deur–

(a) die skrapping in regulasie 108.02.1 vir subregulasie (3) paragraaf (c).

(b) die skrapping in regulasie 108.02.2 vir subregulasie (3) paragrawe (c), (d) en (e).

(c) die vervanging van Subdeel 2 van die Lys van Regulasies met die volgende Lys:

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"ONDERDEEL 2:

PLIGTE EN FUNKSIES VAN GEREGULEERDE AGENTE EN BEKENDE AFSENDERS

108.02.1 Pligte van gereguleerde agent

108.02.2 Pligte van bekende afsender

108.02.3 Maatreëls om bedreigings van kuberaanvalle te verminder";

(d) die invoeging na regulasie 108.02.2 van die volgende regulasie:

"**Maatreëls om bedreigings van kuberaanvalle te verminder**"

108.02.3 (1) 'n Gereguleerde agent en bekende afsender moet—

(a) identifiseer en beveilig kritieke inligting- en kommunikasietegnologiestelsels en data wat vir lugvaartdoeleindes gebruik word om kuberveiligheid, privaatheid en veerkragtigheid te verseker soos voorgeskryf in Dokument SA-CATS 108;

(b) verseker dat sy kuberveiligheidsmaatreëls in ooreenstemming is met 'n risikobepaling en bedreigingsvlakke;

(c) implementeer kuberveiligheidsmaatreëls soos voorgeskryf in Dokument SA-CATS 108; en

(d) rapporteer enige kuberveiligheidsvoorval soos voorgeskryf in Dokument SA-CATS 108 aan die Direkteur binne 48 uur nadat hulle daarvan bewus geword hetsulkevoorval.".

Wysiging van Deel 109 van die Regulasies

16. Deel 109 van die regulasies word hierby gewysig deur—

(a) die vervanging in regulasie 109.03.10 vir subregulasie (1) van die volgende subregulasie:

"**109.03.10** (1) 'n ASTO sal—

(a) identifiseer en beveilig sy kritieke inligting- en kommunikasie tegnologiestelsels en data wat vir lugvaartdoeleindes gebruik word om kuberveiligheid, privaatheid en veerkragtigheid te verseker soos voorgeskryf in Dokument SA-CATS 109;

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(b) verseker dat sy kuberveiligheids maatreëls in ooreenstemming is met risikobepaling en bedreigingsvlakke;

(c) implementeer kuberveiligheids maatreëls soos voorgeskryf in Dokument SA-CATS 109; en

(d) rapporteer enige kuberveiligheidsvoorval soos voorgeskryf in Dokument SA-CATS 109 aan die Direkteur binne 48 uur nadat hulle daarvan bewus geword hetsulkevoorval.".

Wysiging van Deel 110 van die Regulasies

17. Deel 110 van die regulasies word hierby gewysig deur—

(a) die vervanging in regulasie 110.01.1 vir subregulasie (1) van die volgende regulasie:

"**110.01.1** (1) Hierdie **[deel]** is van toepassing op alle sifting wat uitgevoer word by—

(a) 'n vliegveld met geskeduleerde bedrywighede;

(b) 'n lugrederyfasiliteit;

(c) 'n gereguleerde agentfasiliteite;

(d) lugverkeersbeheerfasiliteite; en

(e) 'n spysenieringsfasiliteit wat in burgerlike lugvaart diens doen."

(b) die vervanging van regulasie 110.01.9 met die volgende regulasie:

"**110.01.9 [Siftings organisasies]** 'n Siftings organisasie moet te alle tye verseker dat 'n siftingsbeampte en plofstof speurhond panne ontplooi word in ooreenstemming met die spesifikasie **[vervat]** voorgeskryf in Dokument SA-CATS 110."

(c) die vervanging van Subdeel 1 van die Lys van Regulasies met die volgende Lys:

"ONDERDEEL 1: ALGEMEEN

110.01.1 Toepaslikheid

110.01.2 Magtiging om op te tree as **['n]** sifter

110.01.3 Bevoegdheid

110.01.4 Dokumentasie

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110.01.5 Logboeke
110.01.6 Register van sertifikate
110.01.7 Taal
110.01.8 Aanwysing van eksaminator
110.01.9 Sifter-ontplooiing
110.01.10 Maatreëls om bedreigings van kuberaanvalle te verminder;

(d) die invoeging na regulasie 110.01.9 van die volgende regulasie:

"**Maatreëls om bedreigings van kuberaanvalle te verminder**

110.01.10 (1) 'n Organisasie wat deur die Direkteur as 'n siftings organisasie goedgekeur is, moet—

(a) identifiseer en beveilig sy kritieke inligting- en kommunikasie tegnologiestelsel en data wat vir lugvaartdoeleindes gebruik word om kuberveiligheid, privaatheid en veerkragtigheid te verseker soos voorgeskryf in Dokument SA-CATS 110;

(b) verseker dat sy kuberveiligheids maatreëls in ooreenstemming is met risikobepaling en bedreigingsvlakke;

(c) implementeer kuberveiligheids maatreëls soos voorgeskryf in Dokument SA-CATS 110; en

(d) rapporteer enige kuberveiligheidsvoorval soos voorgeskryf in Dokument SA-CATS 110 aan die Direkteur binne 48 uur nadat hulle daarvan bewus geword hetsulkevoorval.";

(e) die vervanging van regulasie 110.02.1 met die volgende regulasie:

"**110.02.1** 'n Aansoeker vir die **[uitreiking]** van 'n siftingsertifikaat moet—

(a) nie jonger as 18 jaar wees nie;

(b) 'n geldige mediese sertifikaat besit wat uitgereik is soos voorgeskryf in Dokument SA-CATS 110;

(c) die opleiding waarna in regulasie 110.02.2 verwys word, suksesvol voltooi het;

(d) 'n tydperk van indiensopleiding suksesvol voltooi het soos voorgeskryf in Dokument SA-CATS 110;

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(e) bevredigende agtergrondtoets resultate ontvang het;

(f) 'n Suid-Afrikaanse burger wees; **[en]**

(g) Graad 12 of NQF vlak 4 of ekwivalente **[Kwalifikasie]** kwalifikasie geslaag het: Met dien verstande dat 'n persoon wat op of voor 28 November 2016 siftingspligte uitgevoer het en wat nie die kwalifikasie besit wat in hierdie paragraaf voorgeskryf word nie, bewys moet lewer van opleiding wat bygewoon is voordat hierdie Deel in werking getree het**[.];** en

(h) bewys van verifikasie of die egtheid van kwalifikasies hê."

(f) die invoeging in regulasie 110.03.1 na subregulasie (4) van die volgendesubregulasie:

"(5) 'n Organisasie mag nie as 'n siftingsorganisasie optree by enige vliegveld met geskeduleerde bedrywighede waar fasiliteite bestaan nie, of vir lugvervoerder, gereguleerde agent of LVB nie, tensy sodanige organisasie 'n houer is van 'n geldige siftingsorganisasiegoedkeuring wat ingevolge hierdie Deel uitgereik is."

(g) die vervanging in regulasie 110.03.3 vir subregulasie (3) van die volgende subregulasie:

"(3) Indien die Direkteur tevrede is met **[die]** aansoeker se bedryfshandleiding en tevrede is dat **[die]** aansoeker in staat is om aan die bepalings van hierdie **[deel]** Deel te voldoen, moet die Direkteur—

(a) skriftelik sertifiseer op beide kopieë vanm**[die]** bedryfshandleiding dat hierdie dokumente goedgekeur is;

(b) gee een kopie terug van **[die]** goedgekeurde bedryfshandleiding aan **[die]** 'n naansoeker; en

(c) uitreik na **[die]** sodanige aansoeker 'n sertifikaat van goedkeuring as **[gereguleerde agent in die voorgeskrewe vorm]** 'n siftings organisasiesasie.".

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Wysiging van Deel 111 van die Regulasies

18. Deel 111 van die Regulasies word hierby gewysig deur—

(a) die vervanging in regulasie 111.01.19 vir subregulasie (1) van die volgende subregulasie:

"**111.01.19** (1) 'n Aangewese lughawe, lugredery, lugverkeer- en navigasiediensverskaffer, spysenieringswinkel en voorraaddiensverskaffer moet—

(a) identifiseer en beveilig sy kritieke inligting,kommunikasietegnologiestelsels en data wat vir lugvaartdoeleindes gebruik word om kuberveiligheid, privaatheid en veerkragtigheid te verseker soos voorgeskryf in Dokument SA-CATS 111;

(b) verseker dat sy kuberveiligheidsmaatreëls in ooreenstemming is met 'n risikobepaling en bedreigingsvlakke;

(c) implementeer kuberveiligheidsmaatreëls soos voorgeskryf in Dokument SA-CATS 111; en

(d) rapporteer kuberveiligheidsvoorvalle soos voorgeskryf in Dokument SA-CATS 111 aan die Direkteur binne 48 uur nadat hulle van 'n voorval bewus geword het.".

Wysiging van Deel 114 van die Regulasies

19. Deel 114 van die Regulasies word hierby gewysig deur:

(a) die vervanging in regulasie 114.17.1 vir subregulasie (1) van die volgende subregulasie:

"(1) 'n Lugvervoerder moet—

(a) identifiseer en beveilig sy kritieke inligting- en kommunikasietegnologiestelsels en -data om kuberveiligheid, privaatheid en veerkragtigheid te verseker soos voorgeskryf in Dokument SA-CATS 114;

(b) verseker dat sy kuberveiligheidsmaatreëls in ooreenstemming is met 'n risikobepaling en bedreigingsvlakke;

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(c) implementeer kuberveiligheidsmaatreëls soos voorgeskryf in Dokument SA-CATS 114; en

(d) rapporteer kuberveiligheidsvoorvalle soos voorgeskryf in Dokument SA-CATS 114 aan die Direkteur binne 48 uur nadat hulle van 'n voorval bewus geword het.".

Wysiging van Deel 121 van die Regulasies

20. Deel 121 van die Regulasies word hierby gewysig deur:

(a) die vervanging van Subdeel 1 van die Lys van Regulasies met die volgende Lys van Regulasies:

"ONDERDEEL 1: ALGEMEEN
121.01.1 Toepaslikheid
121.01.2 Toegang tot vlugdek
121.01.3 Passasiersdronkenskap en oproerige gedrag
121.01.4 Nakoming van buitelandse en binnelandse regulasies
121.01.5 Regulatoriese oortredings tydens noodsituasies
121.01.6 Taalvaardigheid
121.01.7 Portuur ondersteuning program";"

(b) die invoeging na regulasie 121.01.6 van die volgende regulasie:

"**Portuur Ondersteuning Program**"

121.01.7 (1) 'n Lugdiensoperateur moet verseker dat 'n houer van 'n lugvaartlisensie wat met sy bedrywighede verband hou, toegang het tot 'n portuur ondersteuning program soos voorgeskryf in Dokument SA-CATS 140.

(2) 'n Portuurgroepondersteuningsprogram waarna in subregulasie (1) verwys word, moet die vertroulikheid van uitgeruilde data van persone betrokke by die portuurgroepondersteuning beskerm as 'n voorvereiste vir 'n effektiewe portuurgroepondersteuningsprogram.";"

(c) die vervanging in Afdeling Vyf van Subdeel 3 in die lys van regulasies van die volgende Afdeling:

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"**Afdeling Vyf: [Opleiding van kajuitbemanningslede] Geldigheidstydperke vir opleiding, kontrolering en sertifisering**"

121.03.11 Opleiding, kontrolering en sertifisering **[en geldigheidstydperke]**

121.03.12 Bekwaamheidstoetse vir vlugbemanning en aanvanklike tipegradering";

(d) die vervanging van die opskrif in regulasie 121.03.11 met die volgende opskrif: "121.03.11 Opleiding, kontrolering, en sertifisering **[en geldigheidstydperke]**";

(e) die vervanging in regulasie 121.05.4 vir subregulasie (2) van die volgende subregulasie:

"(2) 'n Groot turbine-enjin vliegtuig mag nie bedryf word tensy so 'n vliegtuig toegerus is met 'n druk-hoogte rapporteer transponder wat werk in ooreenstemming met die vereistes bepaal in Deel **[171]** 91 en in staat is om—

(a) verskaffing van druk-hoogte inligting met 'n resolusie van 25 voet, of beter, vanaf sy vliegtuig databron; en

(b) outomaties inligting verskaf oor sy lug- of grondstatus deur middel van 'n Modus S-transponder.

Nota 1: *Hierdie bepalings sal die doeltreffendheid van lugbotsing vermyding stelsels sowel as lugverkeerstelsels (ATS) wat Modus S-radar gebruik, verbeter. In die besonder word dopprosesse aansienlik verbeter met 'n resolusie van 7.62 m (25 vt) of beter.*

Nota 2: *Modus C-antwoorde van transponders rapporteer altyd drukhoogte in inkreme nte van 30.50m (100vt), ongeag die resolusie van die databron.";"*

(f) deur die vervanging van regulasie 121.06.4 van die volgende regulasie:

"**Geldigheid en status van AOC**"

121.06.4 (1) 'n AOC is geldig vir 'n tydperk wat deur die Direkteur bepaal word, welke tydperk nie vyf jaar mag oorskry nie, bereken vanaf die datum waarop dit uitgereik word, mits dit nie vrywillig aan die Direkteur oorhandig of andersins deur die Direkteur opgeskort of gekanselleer word nie.

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(2) Tensy anders vermeld deur die Direkteur, is 'n houer van 'n AOC onderworpe aan 'n voortgesette toesigprogram en sodanige AOC bly geldig en van krag vir 'n tydperk van hoogstens vyf jaar. Met dien verstande dat 'n houer van 'n AOC—

(a) dien 90 dae voor die vervaldatum van 'n AOC 'n toepaslike aansoek om hernuwing en hernuwingsfooi soos voorgeskryf in Deel 187 by die Direkteur in;

(b) indien 60 dae voor die vervaldatum van 'n OpSpec, 'n toepaslike aansoek vir hernuwing en jaarlikse geldeenheidsfooi soos voorgeskryf in Deel 187;

(c) het enige bevinding wat teen sodanige houer gemaak is na aanleiding van oudits en inspeksies wat deur die Owerheid uitgevoer is, suksesvol opgelos; en

(d) voldoen steeds aan die vereistes vir die uitreiking van 'n AOC.

(3) Versuim om aan die bepalings van subregulasie (2) te voldoen, sal daartoe lei dat 'n houer van so 'n AOC nie in aanmerking kom om die voorregte van 'n AOC uit te oefen nie.

(4) Indien 'n houer van 'n AOC onbevoeg raak om die voorregte soos bedoel in subregulasie (3) uit te oefen, moet die Direkteur sodanige houer skriftelik in kennis stel van die skorsing van AOC, en sodanige houer moet sodanige AOC onmiddellik teruggee en OpSpec aan die Direkteur.

(5) 'n AOC is nie oordraagbaar nie.

(6) 'n Houer van 'n AOC wat versuim om te voldoen aan die vereistes soos bepaal in subregulasie (2) of wie se sertifikaat ofIndien OpSpec teruggegee of opgeskort word, moet die redes skriftelik binne 15 werksdae na ontvangs erken en moet sodanige AOC en OpSpec onmiddellik aan die Direkteur terugbesorg.

(7) 'n Operasie ingevolge hierdie Deel mag slegs uitgevoer word deur 'n houer van 'n geldige AOC en OpSpes.

(8) 'n Hernieude AOC en OpSpec wat ingevolge hierdie Deel uitgereik moet word, moet ten minste 15 dae voor die verstryking van die huidige AOC of OpSpec uitgereik word.

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(9) In geval van vertragings in die goedkeuring van 'n AOC ofOpSpec ingevolge subregulasie (8), kan die Direkteur kies om 'n tydelike sertifikaat uit te reik mits daar geen veiligheidsrisiko is nie en aan die aansoekvereistes voldoen word.".

(g) die vervanging in regulasie 121.07.1 vir subregulasie (8) van die volgende subregulasie:

"(8) 'n Lugdiensoperateur moet verseker dat 'n vlug nie begin ofgaan voortsoos beplan, tensysodanige lugdiensoperateurhet met elke redelike beskikbare middel vasgestel dat—

(a) 'n lugruim wat die beoogde roete vanaf 'n vliegveld van vertrek na 'n vliegveld van aankoms bevat, insluitend die beoogde opstyg-, bestemmings- en alternatiewe vliegvelde onderweg, kan veilig vir 'n beplande operasie gebruik word;

(b) wanneer van voorneme is om oor of naby 'n konflikgebied te opereer, word 'n risikobepaling uitgevoer en toepaslike risikobeperkingsmaatreëls getref om 'n veilige vlug te verseker; en

(c) die grondfasiliteite en -dienste, insluitend meteorologiese dienste en reddingsbrandbestrydingsdienste, is—

(i) beskikbaar soos vereis vir die veilige bedryf van 'n vliegtuig en die beskerming van passasiers;

(ii) voldoende vir'ntipe operasie wat uitgevoer word; en

(iii) normaal funksioneer vir hul beoogde doel.

Nota: *Redelike middele dui op die gebruik, by die vertrekpunt of terwyl'nvliegtuig is in vlug, van inligting beskikbaar vir 'n lugdiensoperateur óf deur amptelike inligting gepubliseer deur 'n lugvaartinligtingdiens verskaffer of geredelik verkrygbaar vanaf ander bronne.*";"

(h) die vervanging van regulasie 121.07.3 met die volgende regulasie:

"**121.07.3** (1) 'n Lugdiens operateur moet verseker dat alle personeel wat toegewys is aan, of direk betrokke is by grond- en vlugbedrywighede, behoorlik

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opgelei is, hul vermoëns in hul spesifieke pligte gedemonstreer het en bewus is van hul verantwoordelikhede en die verband tussen sulke pligte en die operasie as geheel.

(2) 'n Lugdiens operateur moet verseker dat 'n vlugoperasiebeampte of vlugverspreider in samewerking met 'n stelsel van beheer en toesig oor vlugoperasies soos bepaal in regulasie 121.07.1—

(a) 'n bevelvoerder bystaan met vlugvoorbereiding en relevante inligting verskaf;

(b) 'n bevelvoerder bystaan met die voorbereiding van 'n operasionele vlugplan en ATS-vlugplanne, teken waar van toepassing, en die ATS-vlugplan by die toepaslike ATSU indien;

(c) waar van toepassing, 'n gesagvoerder bystaan met die voorbereiding van 'n voorlopige vlugplan, en sodanige plan aan 'n toepaslike lugverkeer maatskappy voorlê;

(d) teken, waar van toepassing, en dien 'n vlugplan in by 'n toepaslike lug verkeers ondersteunings eenheid;

(e) om 'n bevelvoerder tydens vlug, op gepaste wyse, inligting te verskaf wat nodig mag wees vir die veilige uitvoering van 'n vlug; en

(f) stel 'n toepaslike lug verkeer diens eenheid in kennis wanneer die posisie van 'n vliegtuig nie deur 'n vliegtuig opsporings vermoë bepaal kan word nie en pogings om kommunikasie te bewerkstellig onsuksesvol is.";"

(i) die vervanging van regulasie 121.07.4 met die volgende regulasie:

"**121.07.4** (1) 'n Lugdiens operateur moet verseker dat **[lug verkeers dienste]** ATS vir alle vlugte gebruik word wanneer dit beskikbaar is.

(2) Operasionele instruksies wat 'n verandering in 'n ingediende of huidige vlugplan behels, moet, indien prakties moontlik, met die toepaslike LUG VERKEERDER-eenheid (LUG VERKEERDER-eenheid) gekoördineer word voordat dit na 'n vliegtuig oorgedra word.";"

(j) die vervanging van regulasie 121.07.21 met die volgende regulasie:

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"**121.07.21** (1) 'n Lug diens operateur moet minimum vlughoogtes vasstel vir alle roete segmente wat gevlieg moet word, wat 'n vereiste terrein vryhoogte bied, met inagneming van die bedryfsbeperkings waarna in Subdeel 8 van hierdie Deel verwys word en die minimum hoogtes wat in regulasie 91.06.32 bepaal word.

(2) 'n Lugdiensoperateur moet die metode spesifiseer waarmee minimum vlughoogtes vir bedrywighede wat oor roetes uitgevoer word waarvoor minimum vlughoogtes nie vasgestel is nie, bepaal word en moet daardie metode in 'n bedryfshandleiding insluit.

(3) 'n Metode vir die vasstelling van minimum vlieghoogtes waarna in subregulasie (2) verwys word, moet deur die Direkteur goedgekeur word.

(4) 'n Lugdiensoperateur moet die volgende faktore in ag neem wanneer minimum vlughoogtes vasgestel word:

(a) die akkuraatheid en betroubaarheid waarmee'ndie posisie van 'n vliegtuig kan bepaal word;

(b) waarskynlike onakkuraathede in die aanduidings van die altimeters wat gebruik word;

(c) eienskappe van'nterrein langs'nroete of in gebiede waar bedrywighede uitgevoer moet word;

(d) waarskynlikheid om ongunstige meteorologiese toestande teë te kom;

(e) moontlike onakkuraathede in lugvaartkaarte; en

(f) lugruimbeperkings.

(5) By die nakoming van die bepalings van subregulasie (4), moet 'n lugdiensoperateur behoorlike oorweging gee aan—

(a) korreksies vir temperatuur- en drukvariasies vanaf standaardwaardes; en

(b) enige voorwaardelikejwat saam kan voorkom'nbeplande roete.".

Wysiging van Deel 127 van die Regulasies

21. Deel 127 van die Regulasies word hierby gewysig deur:

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(a) die vervanging in regulasie 127.05.3 vir subregulasie (1) van die volgende subregulasie:

"**127.05.3** (1) **[Die]** ’n Lugdiensoperateur mag nie ’n helikopter bedryf in ooreenstemming met IFR nie, tensy sodanige helikopter toegerus is met—

(a) 'n magnetiese kompas;

(b) 'n akkurate horlosie aan boord wat die tyd in ure, minute en sekondes aandui;

(c) twee sensitiewe drukhoogtemeters met subskaalinstellings, gekalibreer in hektopascal, verstelbaar vir enige barometriese drukinstelling wat waarskynlik tydens vlug teëgekom sal word;

(d) in die geval van 'n helikopter met **[’n maksimum gesertifiseerde massa]** 'n MCM wat **[3 180 kilogram]** 3 175 kg oorskry of 'n maksimum passasiersitplek konfigurasie van meer as 9 sitplekke, **[moet 'n radiohoogtemeter met 'n oudiowaarskuwing wat onder 'n voorafbepaalde hoogte werk en 'n visuele waarskuwing wat in staat is om op 'n hoogte te werk wat deur die vlieënier gekies kan word, toegerus wees met]** 'n grond nabyheid waarskuwingstelsel wat 'n vooruitkykende terrein vermydingsfunksie het;"

(e) 'n lug spoed aanwyserstelsel met verhitte pitotbuis of ekwivalente middele om wanfunksionering as gevolg van kondensasie of ysvorming te voorkom, insluitend 'n waarskuwings aanwyser van pitot verwarmer mislukking;

(f) 'n vertikale spoed aanwyser;

(g) 'n draai-en-gly-aanwyser of in plaas daarvan, 'n bykomende houdings aanwyser wat aangedryf word deur 'n kragbron apart van **[die]** van 'n hoofhoudings aanwyser;

(h) 'n houdings aanwyser;

(i) 'n enkele bystand-houdings aanwyser, wat vanaf enige vlieënier se stasie gebruik kan word, wat—

(i) word voortdurend aangedryf tydens normale werking en, na 'n totale mislukking van 'n normale elektriese opwekkingstelsel, word aangedryf deur 'n bron onafhanklik

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van sodanige normale elektriese opwekkingstelsel;

(ii) betroubare werking bied vir 'n minimum van 30 minute na totale mislukking van **[die]** normale elektriese opwekkingstelsel, met inagneming van ander laste op **[die]** nood kragtoevoer en operasionele prosedures;

(iii) werk onafhanklik van enige ander houdings aanwyserstelsel;

(iv) outomaties in werking is na totale mislukking van **[die]** normale elektriese opwekkingstelsel; en

(v) is behoorlik verlig gedurende alle fases van werking:

Mits **[die]** 'n bystand-houdingsinstrumentstelsel in staat is om deur vlughoudings van 360° van helling en rol gebruik te word, die draai-en-gly-aanwysers deur gly-aanwysers vervang mag word;

(j) 'n gestabiliseerde rigtingaanwyser;

(k) 'n middel om die buitelugtemperatuur in grade Celsius op 'n vlugdek aan te dui;

(l) 'n alternatiewe bron van statiese druk vir **[die]** hoogtemeter, en **[die]** lugspoed- en vertikale spoedaanwysers; **[en]**

(m) 'n kaarthouer in 'n maklik leesbare posisie wat verlig kan word, indien dit snags gebruik gaan word; en

(n) kommunikasie-, navigasie- en toesigtoerusting soos **[voorgeskryf]** bepaal in regulasies 91.05.1 en 91.05.2."

(b) die vervanging in regulasie 127.05.14 vir subregulasie (2) van die volgende subregulasie:

"(2) 'n Persoon mag nie 'n kommersiële bedrywigheid uitvoer nie—

(a) met 'n helikopter met 'n gelisensieerde maksimum-tot-massa (MCTOW) van meer as 3 180 kg waarvoor 'n individuele lug waardigheid sertifikaat vir die eerste keer op of na 1 Januarie 2016 uitgereik is, tensy sodanige helikopter toegerus is met 'n Tipe IV FDR wat voldoen aan die vereistes voorgeskryf in Dokument SA-CATS 127;

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(b) met 'n helikopter met 'n MCTOW van meer as 7 000 kg, of met 'n passasier sitplek konfigurasie van meer as 19, waarvoor 'n individuele lug waardigheid sertifikaat vir die eerste keer op of na 1 Januarie 1989 uitgereik is, tensy sodanige helikopter toegerus is met 'n Tipe IV FDR wat voldoen aan die vereistes voorgeskryf in Dokument SA-CATS 127;

(c) met 'n helikopter met 'n maksimum massatoer van meer as 7 000 kg, of met 'n passasier sitplek konfigurasie van meer as nege, waarvoor 'n individuele lug waardigheid sertifikaat vir die eerste keer op of na 1 Januarie 1989 uitgereik is, tensy indien—

(i) sodanige helikopter toegerus is met 'n FDR wat voldoen aan die vereistes voorgeskryf in Dokument SA-CATS 127;

(ii) **[’n lugdiensoperateur het ’n vlugdata-analise as deel van sy SMS vir sodanige helikopter ingestel en in stand gehou]** 'n data-analise is vir sodanige helikopter opgestel en in stand gehou as deel van sodanige persoonse SMS; en

(iii) 'n vlugdata-analiseprogram bevat voldoende voorsorgmaatreëls om die bron van data te beskermwat voldoen aan die vereistes soos voorgeskryf in Dokument SA-CATS 140.";"

(c) die vervanging van Subdeel 6 vir die lys van regulasies van die volgende lys:

"SUBDEEL 6: BEDRYFSERTIFIKAAT

127.06.1 Vereiste om te hou **['n]** lugvaartoperateursertifikaat

127.06.2 Aansoek vir **[die]** uitreiking of wysiging van **[’n]** lugvaartoperateursertifikaat en bedryfspesifikasies

127.06.3 Beoordeling en uitreiking van **['n]** lugvaartoperateursertifikaat of bedryfspesifikasies

127.06.4 **[Geldigheidsduur en status van 'n lug vaart operateur sertifikaat]** Geldigheid en status van AOC

127.06.5 Veiligheids- en sekuriteitsinspeksies en oudits

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127.06.7 Register van lugbedryfsertifikate

127.06.8 Demonstrasievlugte";

(d) die vervanging van regulasie 127.06.4 met die volgende regulasie:

"**Geldigheid en status van AOC**"

127.06.4 (1) 'n AOC is geldig vir 'n tydperk van hoogstens vyf jaar, bereken vanaf die datum van uitreiking, mits 'n houer daarvan—

(a) sal aan 'n deurlopende toesig program onderwerp word;

(b) enige bevinding wat deur sodanige oudits en inspeksies wat deur die Owerheid uitgevoer word, bepaal is, bevredigend oplos; en

(c) voldoen steeds aan die vereistes vir die uitreiking van 'n AOC.

(2) Om 'n geldige AOC te bly besit, moet 'n houer—

(a) dien 90 dae voor 'n AOC-vervaldatum 'n toepaslike aansoek om hernuwing en hernuwingsfooi in soos voorgeskryf in Deel 187; en

(b) indien 60 dae voor die vervaldatum van 'n OpSpec, toepaslike hernuwingsaansoek en jaarlikse geldeenheidsfooi soos voorgeskryf in Deel 187.

(3) Versuim om aan subregulasie (2) te voldoen, sal daartoe lei dat 'n houer van 'n AOC nie in aanmerking kom om die voorregte van 'n AOC uit te oefen nie.

(4) Indien 'n houer van 'n AOC onbevoeg raak om die voorregte soos aangedui in subregulasie (3) uit te oefen, moet die Direkteur sodanige houer skriftelik van die skorsing in kennis stel en sodanige houer moet sodanige AOC en OpSpec onmiddellik aan die Direkteur oorhandig.

(5) 'n AOC bly geldig mits 'n AOC nie vrywillig aan die Direkteur oorgegee of andersins deur die Direkteur opgeskort of gekan selleer word nie.

(6) 'n AOC is nie oordraagbaar nie.

(7) 'n Operasie ingevolge hierdie Deel mag slegs uitgevoer word deur 'n houer van 'n geldige AOC en OpSpec.

(8) 'n Houer van 'n AOC wat versuim om te voldoen aan die vereistes soos bepaal in subregulasie (2) of wie se AOC of OpSpec teruggegee of opgeskort

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word, moet sodanige AOC of OpSpec binne 15 dae na ontvangs van die skorsing van 'n betrokke AOC aan die Direkteur terugbesorg.

(9) 'n AOC of OpSpec wat ingevolge hierdie Subdeel hernu word, moet ten minste 15 dae voor die verstryking van 'n huidige AOC of OpSpec uitgereik word.

(10) In geval van vertragings in die goedkeuring van 'n AOC ofOpSpec ingevolge subregulasie (9), kan die Direkteur kies om 'n tydelike sertifikaat uit te reik mits daar geen veiligheidsrisiko is nie en aan die aansoekvereistes voldoen word.".

(e) die invoeging in regulasie 127.07.8 na subregulasie (6) van die volgende subregulasie:

"(7) 'n Lugdiensoperateur mag nie alternatiewe vir landing op see in 'n vyandige omgewing oorweeg nie.

(f) die invoeging in regulasie 127.08.2 na subregulasie (8) van die volgende subregulasies:

"(9) Ondanks die bepalings van hierdie Subdeel, mag die Direkteur, gebaseer op die resultaat van 'n risikobepaling, toelaat vir variasies sonder 'n veilige gedwonge landing.

(10) 'n Risikobepaling waarna in subregulasie (9) verwys word, moet die volgende in ag neem:

(a) tipe en omstandighede van 'n operasie;

(b) 'n gebied of terrein waaroor 'n operasie uitgevoer word;

(c) die waarskynlikheid van en duur van blootstelling aan 'n kritieke enjinversaking en 'n verdraagsaamheid van so 'n gebeurtenis;

(d) prosedures en stelsels vir die monitering en handhawing van die betroubaarheid van 'n enjin;

(e) opleidings- en operasionele prosedures om die gevolge van 'n kritieke enjinversaking te verminder; en

(f) helikopter toerusting.".

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Wysiging van Deel 135 van die Regulasies

22. Deel 135 van die Regulasies word hierby gewysigopgesteldeur:

(a) die vervanging in regulasie 135.02.9 vir subregulasie (1) en (2) van die volgende subregulasies:

"**135.02.9** (1) 'n Lug diens operateur is verantwoordelik vir die volgende:

(a) om 'n skema vir die bestuur van vlugtyd en diens tyd perke, rusperiodes en dae vry van diens, soos van toepassing, vir elke vlugbemanningslid, kajuitpersoneellid en vlugoperasiebeampte, vas te stel wat—

(i) voldoen aan die vlugtyd- en dienstydperk beperkings, rusperiodes en dae vry van diens soos voorgeskryf in Dokument SA-CATS 135; of

(ii) 'n stelsel van vlugtyd- en dienstydperkbeperkings, rusperiodes en dae vry van diens implementeer wat deur 'n lugdiensoperateur voorgestel word waar die Direkteur van mening is dat 'n ekwivalente vlak van veiligheid deur 'n lugdiensoperateur se voorgestelde skema bereik kan word.

(b) verskaf relevante wetenskaplike data ter ondersteuning van sodanige voorgestelde skema;

(c) publiseer'nvoorgestelde skema in'nbedryfshandleiding waarna verwys word in regulasie 135.04.2;

(d) verseker dat vlugdiensperiodes so beplan word dat bemanningslede voldoende vry van moegheid kan bly sodat bemanningslede onder alle omstandighede op 'n bevredigende vlak van veiligheid kan funksioneer;

(e) spesifiseer aanmeldingstye wat voldoende tyd vir grondpligte toelaat;

(f) die verband tussen die frekwensie en patroon van vlugdiensperiodes en rusperiodes in ag neem, en die

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kumulatiewe effekte van die onderneem van lang diensure gekombineer met minimum rusperiodes in ag neem;

(g) ken dienstydperke toe wat praktyke vermy wat 'n ernstige ontwrigting van 'n gevestigde slaap- of werkpatroon veroorsaak, soos afwisselende dag- en nagpligte;

(h) voldoende rusperiodes bied om bemanningslede in staat te stel om die gevolge van vorige pligte te oorkom en teen die begin van die volgende dienstydperk uitgerus te wees;

(i) beplan herhalende verlengde herstelrusperiodes en stel bemanningslede vooraf in kennis;

(j) beplan vlugpligte sodat dit binne die toelaatbare vlugdienstydperk voltooi kan word, met inagneming van die tyd wat nodig is vir dienste voor die vlug, die sektor- en omkeertye, sowel as dienste na die vlug;

(k) om 'n tuisbasis aan elke bemanningslid toe te ken;

(l) om nie 'n plig toe te ken nie, indien sodanige toewysing nie in ooreenstemming is met die bepalings van'nskema waarna in hierdie regulasie verwys word of indien—

(i) 'n lugdiensoperateur weet of is daarvan bewus gemaak dat sodanige vlugtoewysing sal veroorsaak dat 'n bemanningslid die vlugtyd en dienstydperke waarna in hierdie regulasie verwys word, oorskry terwyl hy of sy aan vlugdiens is; of

(ii) 'n bemanningslid, met inagneming van die omstandighede van 'n vlug wat onderneem moet word, ly aan of waarskynlik sal ly aan moegheid wat die veiligheid van 'n vliegtuig of sy bemanningslede en passasiers in gevaar kan stel.

(2) 'n Bemanningslid moet–

(a) nie 'n toewysing aanvaar indien sodanige toewysing nie in ooreenstemming is met die bepalings van'nskema waarna verwys word in subregulasie (1) of indien sodanige bemanningslid —

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(i) weet of is daarvan bewus gemaak dat sodanige vlugtoewysing kan veroorsaaksulke bemanning'n lid om vlugtyd en dienstydperke waarna in subregulasie (1) verwys word, te oorskry terwyl hy/sy aan vlugdiens is; of

(ii) weet of vermoed datso 'n bemanning'n lid ly aan moegheid of voel andersins ongeskik, in die mate dat'nvlug kan in gevaar wees.

(3) Whier 'n vlugbemanningslid, kajuitbemanningslid,of vlug operasie beampte bewus is van enige rede wat in stryd sou wees met'nskema waarna in subregulasie (1) verwys word, moet sodanige vlugbemanningslid, kajuitbemanning of vlug operasie beampte sonder versuim 'n lugdiensoperateur in kennis steldeurdie middele wat deur sodanige lugdiensoperateur bepaal word.

(4)Fof die doeleindes van hierdie regulasie, moet 'n lugdiensoperateur insluit—

(a) 'n verantwoordelike bestuurspersoneel van sodanige lugdiensoperateur;

(b) 'n diensbemanningskeduleerder van 'n lugdiensoperateur;

(c) 'n diensplig tige verantwoordelik vir operasionele beheer oor 'n vlug;en

(d) in die geval van 'n kajuitbemanningslid, 'n gesagvoerder of sodanige kajuitbemanningslid se onmiddellike toesighouer.

(5) 'n C'n Bemanningslid moet rusperiodes verantwoordelik beplan en gebruik en optimaal gebruik maak van geleenthede en fasiliteite wat vir rus voorsien word.

(6) Wanneer 'n bemanningslid pligte vir meer as een lugdiensoperateur onderneem, moet hy of sy—

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(a) sy of haar individuele rekords aangaande vlug- en dienstye en rusperiodes byhou soos voorgeskryf in Dokument SA-CATS 135; en

(b) elke lugdiensoperateur voorsien van data wat nodig is om aktiwiteite te skeduleer in ooreenstemming met die vereistes voorgeskryf in Dokument SA-CATS 135.";"

(b) die vervanging van regulasie 135.05.4 met die volgende regulasie:

"**135.05.4** (1)'ngroot turbine-enjin vliegtuig moetslegs bedryf word indien ditis toegerus met—

(a) 'n hoogtewaarskuwingstelsel wat in staat is om −

(ek) om vlugdekbemanningslede betyds te waarsku wanneer hulle 'n voorafbepaalde hoogte in óf styging óf daling nader om gelyke vlug op sodanige voorafbepaalde hoogte te bewerkstellig; en

(ii) waarskuwing van vlugdekbemanningslede wanneer hulle bo of onder 'n voorafbepaalde hoogte afwyk deur ten minste 'n ouditiewe sein.

(b) 'n druk-hoogte- rapporteer transponder wat werk in ooreenstemming met die vereistes in Deel 1 en in staat is om—

(ek) verskaffing van druk-hoogte inligting met 'n resolusie van 25 voet, of beter, vanaf sy vliegtuig databron; en

(ii) outomaties inligting verskaf oor sy lug- of grondstatus met behulp van 'n Modus S-transponder.

Nota 1: *Hierdie regulasie sal die doel treffend heid van lugbotsing vermyding stelsels sowel as lugverkeersdienste wat Modus S-radar gebruik, verbeter. In die besonder word dophouprosesse aansienlik verbeter met 'n resolusie van 7.62 m (25 vt) of beter.*

Nota 2: *Modus C-antwoorde van transponders rapporteer altyd drukhoogte in inkremente van 30.50m (100 vt), ongeag die resolusie van die databron.*";"

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(c) die vervanging in regulasie 135.05.5 vir en na subregulasie (10) van die volgende subregulasies:

"(10) 'n Turbine-enjin vliegtuig met 'n gelisensieerde massa-tot-massa (MCTOM) van minder as 5 700 kg en gemagtig om tussen vyf en nege passasiers te vervoer, moet toegerus wees met 'n TAWS wat voorsiening maak vir—

(a) **[waarskuwings bepaal in subregulasie (6)]** vooruitkykende terreinvermydingsfunksie;

(b) 'n waarskuwing van onveilige terreinvermydingsfunksie; en

(c) 'n voorspellende terreinvermydingsfunksie.

(11) 'n Turbine-enjin vliegtuig met 'n MCM van 5 700 kg of minder en gemagtig om meer as vyf passasiers, maar nie meer as nege nie, te vervoer waarvoor 'n individuele lugwaardigheid sertifikaat was eerste uitgereik op of na 1 Januarie 2026, moet toegerus wees met 'n grond nabyheid waarskuwingstelsel wat voorsiening maak vir onveilige terreinklaring, en 'n vooruitkykende terreinvermydingsfunksie vir—

(a) oormatige daalspoed; en

(b) oormatige hoogteverlies na opstyg of deurvlieg.";

(d) die vervanging van regulasie 135.06.4 met die volgende regulasie:

"**Geldigheid en status van AOC**"

135.06.4 (1) 'n AOC is geldig vir 'n tydperk wat deur die Direkteur bepaal word, en so 'n tydperk mag nie vyf jaar oorskry nie, bereken vanaf die datum van uitreiking of hernuwing daarvan.

(2) 'n AOC-houer is onderworpe aan 'n voortgesette toesigprogram en 'n AOC bly geldig mits 'n AOC-houer—

(a) dien 90 dae voor sodanige AOC-vervaldatum 'n toepaslike aansoek om hernuwing en hernuwingsfooi in soos voorgeskryf in Deel 187;

(b) dien 60 dae voor die vervaldatum van 'n inOpSpec, 'n toepaslike aansoek vir hernuwing en jaarlikse geldeenheidsfooi soos voorgeskryf in Deel 187;

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(c) los enige bevinding wat teen sodanige AOC-houer gerapporteer is na aanleiding van oudits en inspeksies wat deur die Owerheid uitgevoer is, suksesvol op; en

(d) voldoen steeds aan die vereistes vir die uitreiking van 'n AOC.

(3) Versuim om aan subregulasie (2) te voldoen, sal daartoe lei dat 'n AOC-houer nie in aanmerking kom om die voorregte van 'n AOC uit te oefen nie.

(4) Die Direkteur moet 'n AOC-houer skriftelik van 'n skorsing in kennis stel en sodanige AOC-houer moet onmiddellik 'n AOC en OpSpec aan die Direkteur oorhandig.

(5) 'n AOC bly geldig mits sodanige AOC nie vrywillig aan die Direkteur oorgegee of andersins deur die Direkteur opgeskort of gekanselleer word nie.

(6) 'n AOC is nie oordraagbaar nie.

(7) 'n Houer van 'n AOC wat versuim om te voldoen aan die vereistes soos bepaal in subregulasie (2) of wie se sertifikaat of OpSpec teruggegee of opgeskort word, moet die redes skriftelik binne 15 werksdae na ontvangs erken en moet sodanige AOC of OpSpec aan die Direkteur terugbesorg.

(8) 'n Operasie ingevolge hierdie Deel mag slegs uitgevoer word deur 'n houer van 'n geldige AOC en OpSpec.

(9) 'n AOC en OpSpec wat ingevolge hierdie Deel uitgereik word, moet ten minste 15 dae voor die verstryking van sodanige AOC of OpSpec uitgereik word.

(10) In geval van 'n vertraging in die goedkeuring van 'n AOC ofOpSpec ingevolge subregulasie (9), kan die Direkteur kies om 'n tydelike sertifikaat uit te reik mits daar geen veiligheidsrisiko is nie en aan alle aansoekvereistes voldoen word.".

(e) die vervanging in regulasie 135.07.1 vir subregulasie (8) van die volgende subregulasie:

"(8) 'n Lugdiens operateur moet verseker dat 'n vlug nie soos beplan begin of voortgaan nie, tensy daar deur alle redelike beskikbare middele vasgestel is dat—

(a) 'n lugruim wat 'n beoogde roete vanaf 'n vliegveld van vertrek na 'n vliegveld van aankoms bevat, insluitend die beoogde opstyg,

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bestemming enalternatiewe vliegvelde onderweg, kan veilig vir 'n beplande operasie gebruik word;

(b) Wanneer daar van voorneme is om oor of naby 'n konflikgebied te opereer, word 'n risikobepaling uitgevoer en toepaslike risikobeperkingsmaatreëls toegepasgeweesgeneem om 'n veilige vlug te verseker;

(c) die grondfasiliteite en -dienste, insluitend meteorologiese dienste en reddingsbrandbestrydingsdienste, is—

(ek) beskikbaar soos benodig vir'nveilige bedryf van 'n vliegtuig en die beskerming van passasiers;

(ii) voldoende vir'ntipe operasie wat uitgevoer word; en

(ii) normaal funksioneer vir hul beoogde doel.

Nota: *Redelike middele dui op die gebruik, by die vertrekpunt of terwyl 'n vliegtuig in vlug is, van inligting wat beskikbaar is vir 'n lugdiensoperateur, hetsy deur amptelike inligting wat deur die lugvaartinligtingsdienste gepubliseer is of geredelik verkrygbaar is uit ander bronne."*

(f) die vervanging van regulasie 135.07.3 met die volgende regulasie:

"**135.07.3 ['n Lugdiensoperateur]** (1) 'n Lugdiensoperateur moet verseker dat alle personeel wat toegewys is aan, of direk betrokke is by grond- en vlugbedrywighede, behoorlik opgelei is, hul vermoëns in hul spesifieke pligte gedemonstreer het en bewus is van hul verantwoordelikhede en die verband tussen sulke pligte en die operasie as geheel.

(2) 'n Lugdiensoperateur moet verseker dat 'n vlugoperasiebeampte of vlugverspreider in samewerking met die stelsel van beheer en toesig oor vlugoperasies wat in regulasie 135.07.1 voorsien word—

(a) help 'n bevelvoerder met vlugvoorbereiding en verskaf relevante inligting;

(b) 'n bevelvoerder bystaan met die voorbereiding van 'n operasionele vlugplan en lugverkeerdiensvlugplanne, teken, waar van toepassing, en dien 'n lugverkeerdiensvlugplan by 'n toepaslike lugverkeerdienseenheid in;

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(c) waar van toepassing, 'n bevelvoerder bystaan met die voorbereiding van 'n voorlopige vlugplan, en dit aan 'n toepaslike lugverkeersonderneming voorlê;

(d) onderteken, waar van toepassing, en dien 'n vlugplan in by 'n eenheid aangewys deur 'n toepaslike ATS-owerheid en toepaslike ATSU;

(e) voorsien 'n gesagvoerder tydens vlug, op gepaste wyse, van inligting wat nodig mag wees vir die veilige uitvoering van 'n vlug; en

(f) stel 'n toepaslike lugverkeersonderneming in kennis wanneer die posisie van 'n vliegtuig nie deur 'n vliegtuig opsporings fasiliteit bepaal kan word nie en waar pogings om kommunikasie te bewerkstellig onsuksesvol is.";"

(g) die vervanging van regulasie 135.07.4 met die volgende regulasie:

"**135.07.4 (1)** 'n Lugdiensoperateur moet verseker dat **[lugverkeersdienste]** ATS vir alle vlugte gebruik word wanneer dit beskikbaar is.

(2) Operasionele instruksies wat 'n verandering in 'n ATS-gelieerde of huidige vlugplan behels, moet, indien prakties moontlik, met 'n toepaslike LUGVERKEERDER gekoördineer word voordat dit na 'n vliegtuig oorgedra word.";

(h) die vervanging van regulasie 135.07.20 met die volgende regulasie:

"**135.07.20** (1) 'n Lugdiensoperateur moet minimum vlughoogtes vir roetesegmente wat gevlieg moet word, vasstel wat die vereiste terreinvryhoogte bied deur rekening te hou met bedryfsbeperkings waarna in Subdeel 8 van hierdie Deel verwys word en die minimum hoogtes soos bepaal in regulasie 91.06.32.

(2) 'n Lugdiensoperateur moet 'n metode spesifiseer waarmee hy van voorneme is om minimum vlughoogtes te bepaal vir bedrywighede wat uitgevoer word oor roetes waarvoor minimum vlughoogtes nie vasgestel is nie, en moet sodanige metode in 'n bedryfshandleiding insluit.

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(3) 'n Metode vir die vasstelling van die minimum vlieghoogtes waarna in subregulasie (2) verwys word, moet deur die Direkteur goedgekeur word.

(4) 'n Lugdiensoperateur moet die volgende faktore in ag neem wanneer minimum vlughoogtes vasgestel word:

(a) die akkuraatheid en betroubaarheid waarmee 'n posisie van 'n vliegtuig bepaal kan word;

(b) waarskynlike onakkuraathede in die aanduidings van die altimeters wat gebruik word;

(c) eienskappe van'nterrein langs die roetes of in gebiede waar operasies uitgevoer moet word;

(d) waarskynlikheid om ongunstige meteorologiese toestande teë te kom;

(e) moontlike onakkuraathede in lugvaartkaarte; en

(f) lugruimbeperkings.

(5) By die nakoming van die bepalings waarna in subregulasie (4) verwys word, moet 'n lugdiensoperateur behoorlike oorweging gee aan—

(a) korreksies vir temperatuur- en drukvariasies vanstandaardwaardes; en

(b) enige onvoorsiene omstandighede wat mag voorkom'nbeplande roete.".

Wysiging van Deel 136 van die Regulasies

23. Deel 136 van die regulasies word hierby gewysig deur:

(a) die vervanging van die Lys van Regulasies met die volgende Lys van Regulasies:

"SUBDEEL 6: BEDRYFSERTIFIKAAT

136.06.1 Bedryfsertifikaat

136.06.2 Aansoek om bedryfsertifikaat

136.06.3 Beoordeling van aansoek om bedryfsertifikaat

136.06.4 **[Geldigheidstydperk van bedryfsertifikaat]** Geldigheid en status van AOC

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136.06.5 Veiligheidsinspeksies en oudits
136.06.6 Pligte van houer van bedryfsertifikaat
136.06.7 Register van bedryfsertifikate";

(b) die vervanging van regulasie 136.06.4 met die volgende regulasie:
"**Geldigheid en status van AOC**"
136.06.4 (1) 'n AOC is geldig vir 'n tydperk wat deur die Direkteur bepaal word, en so 'n tydperk mag nie vyf jaar oorskry nie, bereken vanaf die datum van uitreiking of hernuwing van 'n AOC of OpSpec.

(2) 'n AOC-houer is onderworpe aan 'n voortgesette toesigprogram en 'n AOC bly geldig mits die houer daarvan—

(a) dien 90 dae voor 'n vervaldatum van sodanige AOC 'n toepaslike aansoek om hernuwing en hernuwingsfooi in soos voorgeskryf in Deel 187;

(b) dien 60 dae voor 'n vervaldatum van 'n inOpSpec, 'n gepaste aansoek vir die hernuwing daarvan en jaarlikse geldeenheidsfooi soos voorgeskryf in Deel 187;

(c) enige bevinding wat aan sodanige AOC-houer gerapporteer is na aanleiding van oudits en inspeksies wat deur die Owerheid uitgevoer is, suksesvol oplos; en

(d) voldoen steeds aan die vereistes vir die uitreiking van 'n AOC.

(3) Versuim om aan die bepalings van subregulasie (2) te voldoen, sal daartoe lei dat 'n AOC-houer van sodanige goedkeuring nie in aanmerking kom om die voorregte van 'n AOC uit te oefen nie.

(4) Die Direkteur moet 'n AOC-houer waarna in subregulasie (3) verwys word, skriftelik van 'n skorsing in kennis stel en sodanige operateur moet onmiddellik 'n AOC en OpSpec aan die Direkteur oorhandig.

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(5) 'n AOC bly geldig vir die gespesifiseerde tydperk ingevolge subregulasie (2), mits dit nie vrywillig deur die Direkteur teruggegee, opgeskort of gekanselleer word nie.

(6) 'n AOC is nie oordraagbaar nie.

(7) 'n AOC-houer wat 'n kennisgewing van skorsing ingevolge subregulasie (4) ontvang, moet die redes skriftelik binne 15 werksdae na ontvangs erken en moet sodanige AOC of OpSpec aan die Direkteur terugbesorg.

(8) 'n Operasie ingevolge hierdie Deel mag slegs uitgevoer word deur 'n houer van 'n geldige AOC enOpSpec

(9) 'n AOC enOpSpec wat deur die Direkteur ingevolge hierdie Deel uitgereik word, moet ten minste 15 dae voor die verstryking van sodanige AOC of OpSpec uitgereik word.

(10) In geval van vertragings in die goedkeuring van 'n AOC ofOpSpec ingevolge subregulasie (9), kan die Direkteur kies om 'n tydelike sertifikaat uit te reik mits daar geen veiligheidskwessies is nie en aan die aansoekvereistes voldoen word.".

Wysiging van Deel 137 van die Regulasies

24. Deel 137 van die regulasies word hierby gewysig deur:

(a) die vervanging in regulasie 137.01.2 subregulasie (1) vir paragraaf (a) van die volgende paragraaf:

"**137.01.2** (1) 'n Vlieënier van 'n vliegtuig wat betrokke is by 'n landboubedrywigheid, moet die volgende besit—

(a) 'n geldige landbouvlieëniergradering uitgereik ingevolge Deel 61 of Deel 62 vir die kategorie vliegtuig wat gebruik word; en";

(b) die vervanging in regulasie 137.01.4 vir subregulasie (1) van die volgende subregulasie:

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"**137.01.4** (1) [Elk] 'n Eienaar of operateur van 'n vliegtuig wat betrokke is by 'n landbou- of brandbestrydingsoperasie moet verseker dat **[die]** sodanige vliegtuig het, benewens die toerusting wat voorgeskryf word inDeel 91 en Deel 94, 'n goedgekeurde en behoorlik geïnstalleerde skouerharnas vir elke persoon aan boord.".

Wysiging van Deel 139 van die Regulasies

25. Deel 139 van die Regulasies word hierby gewysig deur:

(a) die vervanging in regulasie 139.02.13 vir subregulasie (2) van die volgende subregulasie:
"(2) 'n Aansoeker om 'n vliegveldlisensie moet 'n prosedure instel vir die aanvanklike assessering van, en 'n prosedure vir die handhawing van **[,]** die bevoegdheid van daardie personeel betrokke by die bedryf en instandhouding van 'n vliegveld, sy dienste en sy fasiliteite **[.]** soos voorgeskryf in Dokument SA-CATS 139.";

(b) die vervanging van regulasie 139.04.3 met die volgende regulasie:
"**139.04.3** (1) 'n Aansoeker vir die uitreiking van 'n helikopterstopgoedkeuring moet **[die Direkteur]** 'n afskrif van die standaardbedryfs prosedures wat ooreenstem met die bedrywighede by daardie helikopterstop **[soos vereis]** verskaf vir goedkeuring deur **[Vlugbedrywighede]** die Direkteur.";

(c) die vervanging van regulasie 139.06.1 met die volgende regulasie:
"**139.06.1** (1) Hierdie Subdeel is van toepassing op 'n vliegveld of gebied wat—

(a) hoef nie gelisensieer te wees ingevolge Subdeel 2 nie; of

(b) vereis nie goedkeuring ingevolge Subdeel 5 nie; en

(c) val binne die uitsluitings soos voorgeskryf in Dokument SA-CATS 139.

(2) Registrasie van 'n vliegveld verleen geen gebruiksreg deur 'n derde party nie en enige toestemming vir gebruik moet van 'n vliegveldoperateur verkry word.

(3) Die vereistesvirregistrasie van 'n vliegveldisvoorgeskryf in Dokument SA-CATS 139".

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Wysiging van Deel 140 van die Regulasies

26. Deel 140 van die Regulasies word hierby gewysig deur:

(a) die vervanging in regulasie 140.01.3 vir subregulasie (1) van die volgende subregulasie:

"(1) 'n Entiteit waarna in regulasie 140.01.1 verwys word, moet die volgende komponente en elemente in sy SMS insluit **[—]:**

(a) veiligheidsbeleid en -doelwitte insluitend—

(ek) bestuursverbintenis;

(ii) veiligheidsverantwoordelikheid en verantwoordelikhede;

(iii) aanstelling van sleutelveiligheidspersoneel;

(iv) koördinering van noodreaksiebeplanning; en

(v) SMS-dokumentasie.

(b) veiligheids risik obestuur insluitend—

(ek) gevaaridentifikasie; en

(ii) veiligheidsrisikobepaling en -versagting.

(c) veiligheidsversekering insluitend—

(ek) veiligheidsprestasiemonitering en -meting;

(ii) bestuur van verandering; en

(iii) voortdurende verbetering van die SMS.

(d) veiligheidsbevordering insluitend—

(ek) opleiding en onderwys**; [en]**

(ii) veiligheidskommunikasie; en

(iii) portuurgroepondersteuningsprogram,".

Wysiging van Deel 141 van die Regulasies

27. Deel 141 van die regulasies word hierby gewysig deur:

(a) die vervanging van die Lys van Regulasies met die volgende Lys van Regulasies:

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"ONDERDEEL 1: ALGEMEEN

141.01.1 Toepaslikheid

141.01.2 Sertifisering van ATO

141.01.3 Pligte van ATO

141.01.4 ATO-sertifikaat en Ops-spesifikasies

141.01.5 Advertering

141.01.6 Aansoek om aanvanklike ATO-sertifikaat

141.01.7 **[Geldigheidstydperk van ATO-sertifikaat]** Geldigheid en status van ATO

141.01.8 Veiligheidsinspeksies en oudits

141.01.9 Wysiging van ATO-sertifikaat

141.01.10 Ligging van ATO

141.01.11 Satelliet ATO

141.01.12 ATO-opleiding buite die basis

141.01.13 Derdeparty-opleiding

141.01.14 Goedkeuring van buitelandse ATO

141.01.15 Fasiliteite, toerusting en materiaal

141.01.16 Personeelvereistes

141.01.17 Rekordhouding

141.01.18 Gehalteversekering en kwaliteitstelsel

141.01.19 ATO opleidings- en prosedurehandleiding

141.01.20 Beperkings op dienstydperke

141.01.21 Goedkeuring van opleidingskursusse waar 'n sillabus nie verskaf word nie

141.01.22 Gradueringsertifikaat

141.01.23 Evaluering en kontrolering

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141.01.24 Vrywillige sluiting van ATO

141.01.25 Bevoegdheidsgebaseerde opleiding en assessering";

(b) die vervanging van regulasie 141.01.7 met die volgende regulasie:

"**Geldigheid en status van ATO**"

141.01.7 (1)'n ATO-goedkeuring is geldig vir 'n tydperk wat deur die Direkteur bepaal word, en so 'n tydperk mag nie vyf jaar oorskry nie, bereken vanaf die datum van uitreiking of hernuwing daarvan.

(2) 'n ATO-goedkeuringhouer is onderworpe aan 'n voortgesette toesigprogram en 'n ATO-goedkeuring bly geldig mits 'n ATO-goedkeuringhouer—

(a) dien 90 dae voor 'n ATO-vervaldatum 'n toepaslike aansoek vir die hernuwing daarvan en hernuwingsfooi in soos voorgeskryf in Deel 187;

(b) dien 60 dae voor 'n vervaldatum van 'n inOpSpec, 'n gepaste aansoek vir die hernuwing daarvan en jaarlikse geldeenheidsfooi soos voorgeskryf in Deel 187;

(c) los enige bevinding wat aan sodanige organisasie gerapporteer is na aanleiding van oudits en inspeksies wat deur die Owerheid uitgevoer is, suksesvol op; en

(d) voldoen steeds aan die vereistes vir die uitreiking van 'n ATO-goedkeuring.

(3) Versuim om aan die bepalings van subregulasie (2) te voldoen, sal daartoe lei dat 'n ATO-goedkeuringhouer nie in aanmerking kom om die voorregte van 'n ATO-goedkeuring uit te oefen nie.

(4) Die Direkteur moet 'n GTO-houer waarna in subregulasie (3) verwys word, skriftelik in kennis stel van 'n opskorting van sy GTO-goedkeuring, en so 'n GTO-goedkeuringhouer moet onmiddellik 'n GTO-goedkeuringsertifikaat en OpSpec aan die Direkteur oorhandig.

(5) 'n ATO-goedkeuring bly geldig mits sodanige ATO-goedkeuring nie vrywillig teruggegee of andersins deur die Direkteur opgeskort of gekanselleer word nie.

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(6) 'n ATO-goedkeuring is nie oordraagbaar nie.

(7) 'n Houer van 'n ATO-goedkeuring wat 'n kennisgewing van skorsing ingevolge subregulasie (4) ontvang, moet die redes skriftelik binne 15 werksdae na ontvangs erken en sodanige goedkeuring aan die Direkteur oorhandig.

(8) 'n Houer van 'n ATO-goedkeuring kan aansoek doen vir 'n dormansie van 'n ATO-goedkeuring vir 'n tydperk van hoogstens 36 maande deur-

(a) indien van 'n skriftelikeaansoek by die Direkteur;

(b) betaling van jaarlikse geldeenheidsfooie ingevolge Deel 187; en

(c) die oorgawe van sodanige ATO-goedkeuring enOpSpec aan die Direkteur.

(9) 'n Dormante ATO-goedkeuring en OpSpec sal slegs heruitgereik word nadat 'n hernuwingsoudit uitgevoer is.

(10) 'n Operasie ingevolge hierdie Deel mag slegs uitgevoer word deur 'n houer van 'n geldige ATO goedkeuring en OpSpec

(11) 'n ATO-goedkeuring enOpSpec wat ingevolge hierdie Deel hernu word, moet ten minste 15 dae voor die verstryking van die huidige ATO-goedkeuring of OpSpec uitgereik word.

(12) In geval van vertragings in die goedkeuring van 'n ATO ofOpSpec ingevolge subregulasie (11), kan die Direkteur kies om 'n tydelike ATO-goedkeuringsertifikaat uit te reik, mits daar geen veiligheidsrisiko is nie en aan die aansoekvereistes voldoen word.".

Wysiging van Deel 145 van die Regulasies

28. Deel 145 van die regulasies word hierby gewysig deur:

(a) die vervanging van die Lys van Regulasies met die volgende Lys van Regulasies:

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"SUBDEEL 2: GOEDKEURING VAN
VLIEGTUIGONDERHOUDSORGANISASIE"
145.02.1 Handleiding van prosedure
145.02.2 Gehalteversekeringstelsel
145.02.3 Akkommodasie en fasiliteite
145.02.4 Personeelvereistes
145.02.5 Toerusting, gereedskap en materiaal
145.02.6 Aansoek om goedkeuring of wysiging daarvan
145.02.7 Uitreiking van goedkeuring
145.02.7A Vermoëlys
145.02.8 Voorregte
145.02.9 [Geldigheidstydperk] Geldigheidstydperk van AMO
145.02.9A Uitbreiding van [’n] goedkeuring
145.02.10 Oordraagbaarheid
145.02.11 Hernuwing van goedkeuring
145.02.12 Veranderinge in kwaliteitstelsel
145.02.13 Pligte van goedkeuringhouer
145.02.14 Rekord van sertifiserende personeel
145.02.15 Onderhoudsrekords
145.02.16 Verslae oor defekte of nie-lugwaardige toestande
145.02.17 Lugwaardigheidsdata
145.02.18 Dwelm- en substansmisbruikbestuursplan”;

(b) die vervanging van regulasie 145.02.9 met die volgende regulasie:
"**Geldigheidstydperk van AMO**"

145.02.9 (1) 'n AMO-goedkeuring is geldig vir 'n tydperk wat deur die Direkteur bepaal word, en so 'n tydperk mag nie vyf jaar oorskry nie, bereken vanaf die datum van uitreiking.

(2) 'n AMO-goedkeuringhouer is onderworpe aan 'n voortgesette toesigprogram en 'n AMO-goedkeuring bly geldig mits 'n houer daarvan—

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(a) dien 90 dae voor 'n AMO-vervaldatum 'n toepaslike aansoek vir hernuwing en hernuwingsfooi in soos voorgeskryf in Deel 187;

(b) dien 60 dae voor die vervaldatum van 'n inOpSpec, 'n gepaste aansoek vir die hernuwing daarvan en jaarlikse geldeenheidsfooi soos voorgeskryf in Deel 187;

(c) los enige bevinding wat aan sodanige operateur gerapporteer is na aanleiding van oudits en inspeksies wat deur die Owerheid uitgevoer is, suksesvol op; en

(d) voldoen steeds aan die vereistes vir die uitreiking van 'n AMO-goedkeuring.

(6) Indien u nie aan subregulasie voldoen nie (2) te voldoen, sal lei tot 'n houer van AMO goedkeuring onbevoegd is om die voorregte van 'n AMO-goedkeuring uit te oefen.

(4) Die Direkteur moet 'n AMO-goedkeuringshouer skriftelik in kennis stel van enige opskorting van 'n AMO-goedkeuring en sodanige AMO-goedkeuringshouer moet 'n AMO-goedkeuring onmiddellik prysgee en OpSpec aan die Direkteur.

(5) 'n AMO-goedkeuring bly geldig mits sodanige AMO-goedkeuring nie vrywillig teruggegee of andersins deur die Direkteur opgeskort of gekanselleer word nie.

(6) 'n AMO-goedkeuring is nie oordraagbaar nie.

(7) 'n Houer van 'n AMO-goedkeuring wat versuim om te voldoen aan die vereistes voorgeskryf in subregulasie (2) of wie se sertifikaat verval het, teruggegee of opgeskort is, moet die redes skriftelik binne 15 werksdae na ontvangs erken en sodanige goedkeuring en OpSpec onmiddellik aan die Direkteur terugbesorg.

(8) Onderhoud in terme hiervan Deel mag slegs uitgevoer word deur 'n houer van 'n geldige AMO en OpSpec.

(9) 'n Onderhoudsgoedkeuring en OpSpec wat ingevolge hierdie Deel uitgereik word, moet ten minste 15 dae voor die verstryking van die huidige goedkeuring of OpSpec uitgereik word.

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(10) In geval van vertragings in die goedkeuring van 'n AMO of OpSpec ingevolge subregulasie (9), kan die Direkteur kies om 'n tydelike AMO-goedkeuring uit te reik, mits daar geen veiligheidsrisiko is nie en aan die aansoekvereistes voldoen word."

Wysiging van Deel 147 van die Regulasies

29. Deel 147 van die regulasies word hierby gewysig deur:

(a) die vervanging van die Lys van Regulasies met die volgende Lys van Regulasies:

"ONDERDEEL 2: GOEDKEURING VAN ONTWERPORGANISASIE

147.02.1 Vereiste vir goedkeuring

147.02.2 Handleiding van prosedure

147.02.3 Ontwerpbeheerstelsel

147.02.4 Personeelvereistes

147.02.5 Akkommodasie, fasiliteite en toerusting

147.02.6 Aansoek om goedkeuring of wysiging daarvan

147.02.7 Uitreiking van goedkeuring

147.02.8 Voorwaardes van goedkeuring

147.02.9 Voorregte

147.02.10 [Geldigheidstydperk] Geldigheid en status van Ontwerporganisasie-goedkeuring

147.02.11 Oordraagbaarheid

147.02.12 Veranderinge in ontwerpbeheerstelsel

147.02.13 Veranderinge in terme van goedkeuring

147.02.14 Pligte van goedkeuringhouer

147.02.15 Hernuwing van goedkeuring";

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(b) die vervanging van regulasie 147.02.10 met die volgende regulasie:

"**Geldigheid en status van Ontwerporganisasie-goedkeuring**"

147.02.10 (1) 'n Goedkeuring van 'n ontwerporganisasie is geldig vir 'n tydperk wat deur die Direkteur bepaal word, en so 'n tydperk mag nie vyf jaar oorskry nie, bereken vanaf die datum van uitreiking.

(2) 'n Houer van 'n ontwerporganisasie-goedkeuring is onderhewig aan 'n deurlopende toesigprogram en 'n ontwerporganisasie-goedkeuringsertifikaat bly geldig mits 'n houer van 'n ontwerporganisasie-goedkeuring—

(a) dien 90 dae voor die vervaldatum van 'n ontwerporganisasie se goedkeuring 'n toepaslike aansoek vir die hernuwing daarvan en hernuwingsfooi in soos voorgeskryf in Deel 187;

(b) dien 60 dae voor 'n herdenkingsdatum van 'n goedkeuring 'n jaarlikse geldeenheidsfooi in soos voorgeskryf in Deel 187;

(c) los enige bevinding wat aan sodanige ontwerporganisasie gerapporteer is na aanleiding van oudits en inspeksies wat deur die Owerheid uitgevoer is, suksesvol op; en

(d) voldoen steeds aan die vereistes vir die uitreiking van 'n ontwerporganisasie-goedkeuring.

(3) Versuim om aan die bepalings van subregulasie (2) te voldoen, sal daartoe lei dat 'n houer van 'n ontwerporganisasie-goedkeuring nie in aanmerking kom om die voorregte van sodanige goedkeuring uit te oefen nie.

(4) Die Direkteur moet 'n houer van 'n ontwerporganisasie-goedkeuring skriftelik in kennis stel van enige skorsing, en so 'n organisasie moet 'n ontwerporganisasie-goedkeuring onmiddellik aan die Direkteur oorgee.

(5) 'n Ontwerporganisasie-goedkeuring bly geldig mits sodanige goedkeuring nie vrywillig teruggegee of andersins deur die Direkteur opgeskort of gekanselleer word nie.

(6) 'n Ontwerporganisasiegoedkeuring is nie oordraagbaar nie.

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(7) 'n Houer van 'n ontwerporganisasie-goedkeuring wat versuim om te voldoen aan die vereistes soos voorgeskryf in subregulasie (2) of wie se ontwerporganisasie-goedkeuring verval het, teruggegee of opgeskort is, moet die redes skriftelik binne 15 werksdae erken en moet 'n ontwerporganisasie-goedkeuring onmiddellik aan die Direkteur terugbesorg.

(8) Ontwerpe ingevolge hierdie Deel mag slegs deur 'n houer van 'n geldige ontwerporganisasie-goedkeuring uitgevoer word.

(9) 'n Ontwerporganisasie-goedkeuring wat ingevolge hierdie Subdeel uitgereik word, moet ten minste 15 dae voor die verstryking van die huidige ontwerporganisasie-goedkeuring uitgereik word.

(10) In geval van vertragings in die verwerking van 'n goedkeuring van 'n ontwerporganisasie ingevolge subregulasie (9), kan die Direkteur kies om 'n tydelike goedkeuring uit te reik, mits daar geen veiligheidsrisiko is nie en aan die aansoekvereistes voldoen word.".

Wysiging van Deel 148 van die Regulasies

30. Deel 148 van die regulasies word hierby gewysig deur:

(a) die vervanging van die Lys van Regulasies met die volgende Lys van Regulasies:

"SUBDEEL 2: GOEDKEURING VAN VERVAARDIGINGSORGANISASIE"
148.02.1 Goedkeuringsvereistes
148.02.2 Toepassing
148.02.3 Uitreiking van goedkeuring
148.02.4 Gehaltestelsel
148.02.5 Handleiding van prosedure
148.02.6 Veranderinge aan [die] organisasie
148.02.7 Veranderinge in ligging
148.02.8 Oordraagbaarheid
148.02.9 Voorwaardes van goedkeuring
148.02.10 Wysigings aan [die] voorwaardes van goedkeuring

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148.02.11 **[Geldigheidstydperk]** Geldigheid en status van Vervaardigings organisasie-goedkeuring

148.02.12 Voorregte

148.02.13 Pligte van goedkeuring houers

148.02.14 Hernuwing van goedkeuring

148.02.15 "Dwelm- en substans misbruik bestuurs plan";

(b) die vervanging van regulasie 148.02.11 met die volgende regulasie:

"**Geldigheid en status van goedkeuring van vervaardigings organisasie**"

148.02.11 (1) 'n Goedkeuring van 'n vervaardigings organisasie is geldig vir 'n tydperk wat deur die Direkteur bepaal word, en so 'n tydperk mag nie vyf jaar oorskry nie, bereken vanaf die datum van uitreiking.

(2) 'n Goedkeuringshouer van 'n vervaardigings organisasie is onderworpe aan 'n voortgesette toesigprogram en 'n goedkeuring van 'n vervaardigings organisasie bly geldig, mits 'n houer van 'n goedkeuring van 'n vervaardigings organisasie—

(a) dien 90 dae voor die vervaldatum van 'n vervaardigings organisasie se goedkeuring 'n toepaslike aansoek vir die hernuwing daarvan en hernuwingsfooi in soos voorgeskryf in Deel 187;

(b) dien 60 dae voor die datum van goedkeuring, jaarlikse geldeenheidsfooi in soos voorgeskryf in Deel 187;

(c) los enige bevinding wat aan sodanige houer gerapporteer is na aanleiding van oudits en inspeksies wat deur die Owerheid uitgevoer is, suksesvol op; en

(d) voldoen steeds aan die vereistes vir die uitreiking van 'n vervaardigingsorganisasie-goedkeuring.

(3) 'n Houer van 'n vervaardigingsorganisasie-goedkeuring wat nie voldoen aan die vereistes voorgeskryf in subregulasie (2) nie, is nie geregtig om die voorregte van 'n vervaardigingsorganisasie-goedkeuring uit te oefen nie.

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(4) Die Direkteur moet 'n houer van 'n vervaardigingsorganisasie-goedkeuring skriftelik in kennis stel van 'n skorsing, en so 'n houer moet 'n vervaardigingsorganisasie-goedkeuring onmiddellik aan die Direkteur oorgee.

(5) 'n Goedkeuring van 'n vervaardigingsorganisasie bly geldig mits sodanige goedkeuring nie vrywillig deur die Direkteur teruggegee, opgeskort of gekanselleer word nie.

(6) 'n Goedkeuring van 'n vervaardigingsorganisasie is nie oordraagbaar nie.

(7) 'n Houer van 'n vervaardigingsorganisasie-goedkeuring wat versuim om te voldoen aan die vereistes voorgeskryf in subregulasie (2) of wie se vervaardigingsorganisasie-goedkeuring verval het, of opgeskort is, moet die redes skriftelik binne 15 werksdae erken en 'n vervaardigingsorganisasie-goedkeuring onmiddellik aan die Direkteur terugbesorg.

(8) Vervaardiging ingevolge hierdie Deel mag slegs deur 'n houer van 'n geldige vervaardigingsorganisasie-goedkeuring uitgevoer word.

(9) 'n Goedkeuring van 'n vervaardigingsorganisasie wat ingevolge hierdie Deel uitgereik word, moet ten minste 15 dae voor die verstryking van die huidige goedkeuring uitgereik word.

(10) In geval van vertragings in die verwerking van 'n vervaardigingsorganisasie-goedkeuring ingevolge subregulasie (9), kan die Direkteur kies om 'n tydelike vervaardigingsorganisasie-goedkeuring uit te reik, mits daar geen veiligheidsrisiko is nie en aan die aansoekvereistes voldoen word.".

(c) die invoeging na regulasie 148.02.14 van die volgende regulasie:

"**Plan vir die bestuur van dwelm- en substans misbruik**"

148.02.15 (1) 'n Houer van 'n vervaardigingsorganisasie-goedkeuring moet 'n dwelm- en substansmisbruikbestuursplan ontwikkel en implementeer om dwelm- en alkoholkwessies aan te spreek met betrekking tot die potensiële uitwerking op lugvaartveiligheid.

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(2) 'n Plan waarna in subregulasie (1) verwys word, moet elemente insluit soos voorgeskryf in Dokument SA-CATS 148.

Wysiging van Deel 149 van die Regulasies

31. Deel 149 van die regulasies word hierby gewysig deur:

(a) die vervanging van die Lys van Regulasies met die volgende Lys van Regulasies:

"SUBDEEL 2: GOEDKEURING VAN LUGVAART-ONTSPANNINGSORGANISASIE"
149.02.1 Vereiste van goedkeuring
149.02.2 Handleiding van prosedure
149.02.3 Gehalteversekeringstelsel
149.02.4 Personeelvereistes
149.02.5 Hulpbronvereistes
149.02.6 Aansoek om goedkeuring of wysiging daarvan
149.02.7 Uitreiking van goedkeuring
149.02.8 Omvang van goedkeuring
149.02.9 **[Geldigheidstydperk]** Geldigheid en status van goedkeuring
149.02.10 Oordraagbaarheid
149.02.11 Veranderinge in gehalteversekeringstelsel
149.02.12 Hernuwing van goedkeuring
149.02.13 Pligte van goedkeuringhouer
149.02.14 Tegniese en regulatoriese data
149.02.15 Rekords
149.02.16 Operasionele en instandhoudingsprosedures";

(b) die vervanging van regulasie 149.02.9 met die volgende regulasie:

"**Geldigheid en status van goedkeuring**

149.02.9(1) 'n ARO-goedkeuring is geldig vir 'n tydperk wat deur die Direkteur bepaal word, en so 'n tydperk mag nie vyf jaar oorskry nie, bereken vanaf die datum van uitreiking.

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(2) 'n ARO-goedkeuringshouer sal onderhewig wees aan 'n deurlopende toesigprogram en 'n ARO-goedkeuring sal geldig bly vir 'n tydperk van hoogstens vyf jaar, mits 'n ARO-goedkeuringshouer —

(a) dien 90 dae voor die vervaldatum van goedkeuring 'n toepaslike aansoek vir die hernuwing en hernuwingsfooi in soos voorgeskryf in Deel 187;

(b) dien 60 dae voor die herdenkingsdatum van goedkeuring 'n jaarlikse geldfooi in soos voorgeskryf in Deel 187;

(c) los enige bevinding wat gerapporteer is na aanleiding van oudits en inspeksies wat deur die Owerheid uitgevoer is, suksesvol op; en

(d) voldoen steeds aan die vereistes vir die uitreiking van 'n ARO-goedkeuring.

(3) 'n ARO-goedkeuringhouer wat versuim om aan die vereistes voorgeskryf in subregulasie (2) te voldoen, sal nie geregtig wees om die voorregte van ARO-goedkeuring uit te oefen nie.

(4) Die Direkteur moet 'n ARO-goedkeuringshouer skriftelik van skorsing in kennis stel en sodanige ARO-goedkeuringshouer moet 'n ARO-goedkeuring onmiddellik aan die Direkteur oorgee.

(5) 'n ARO-goedkeuring bly geldig mits sodanige goedkeuring nie vrywillig teruggegee of andersins deur die Direkteur opgeskort of gekanselleer word nie.

(6) 'n ARO-goedkeuringhouer wat versuim om te voldoen aan die vereistes soos voorgeskryf in subregulasie (2) of wie se ARO-goedkeuring verval het, teruggegee is of opgeskort is, moet sodanige ARO-goedkeuring binne 15 werksdae na die datum van verval of teruggawe aan die Direkteur terugbesorg.

(7) 'n Operasie ingevolge hierdie Deel mag slegs uitgevoer word deur 'n houer van 'n geldige ARO-goedkeuring.

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(8) 'n ARO-goedkeuring wat ingevolge hierdie Deel uitgereik word, moet ten minste 15 dae voor die verstryking van die huidige ARO-goedkeuring uitgereik word.

(9) In geval van vertragings in die goedkeuring van 'n ARO ingevolge subregulasie (8), kan die Direkteur kies om 'n tydelike ARO-goedkeuring uit te reik, mits daar geen veiligheidsrisiko is nie en aan die aansoekvereistes voldoen word.".

Wysiging van Deel 171 van die Regulasies

32. Deel 171 van die Regulasies word hierby gewysig deur regulasie 171.01.1 met die volgende regulasie te vervang:

"**171.01.1** (1) Hierdie **[deel skryf voor]** Deel maak voorsiening vir die—

(a) regulatoriese vereistes en standaarde vir die goedkeuring van **[organisasies]** Elektroniese Dienste Organisasies wat van voorneme is om lugvaarttelekommunikasie wat vir lugverkeersdienste gebruik word, en radionavigasiedienste wat vir lugnavigasie gebruik word, te verskaf, te bedryf en in stand te hou; [en]

(b) bedryfs- en tegniese standaarde vir lugvaarttelekommunikasiedienste wat gebruik word vir **[lugverkeersdienste]** ATS, en lugvaartradionavigasiedienste wat vir lugnavigasie gebruik word; en

(c) vereistes vir goedkeuring van Elektroniese Dienste-organisasies".

Wysiging van Deel 172 van die Regulasies

33. Deel 172 van die Regulasies word hierby gewysig deur:

(a) die invoeging in regulasie 172.01.2 na subregulasie (3) van die volgende subregulasie:

"(4) Die vervoer van ACAS deur vliegtuie in 'n gegewe gebied sal nie 'n faktor wees in die bepaling van 'n behoefte aan ATS in daardie gebied nie."

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(b) die vervanging van die Lys van Regulasies met die volgende Lys van Regulasies:

"ONDERDEEL 1: ALGEMEEN
172.01.1 Toepaslikheid
172.01.2 Toekenning van lugverkeersdienste
172.01.3 Verskaffing van **[’n]** ATS op eie inisiatief
172.01.4 Vereiste vir ATSU-goedkeuring
172.01.5 Vertoon van ATSU-goedkeuring
172.01.6 Veiligheidsinspeksies en oudits
172.01.7 Register van goedkeurings
172.01.8 Plaasvervangende ATS-verskaffer
172.01.9 Portuur groep ondersteunings program";"

(c) die vervanging van regulasie 172.01.4 met die volgende regulasie:

“**172.01.4** (1) **[Nee]** ’n Lugverkeerseenheid (LUGV) mag nie lugverkeersdienste verskaf nie, insluitend—

(a) vliegveldbeheerdienste;
(b) naderingsbeheerdienste;
(c) gebiedsbeheerdienste;
(d) benadering toesigdienste;
(e) gebiedsbewakingsbeheerdienste;
(f) vluginligtingsdienste; en
(g) vliegveld vluginligtings diens,

in daardie dele van die lugruim en'nvliegveld bepaal deur die Direkteur ingevolge regulasie 172.01.2, behalwe onder die gesag van en in ooreenstemming met die bepalings van 'n ATSU-goedkeuring uitgereik ingevolge hierdie Deel.

(2) 'n Aanvanklike ATSU-goedkeuring word op die volgende wyse verwerk:

(a) 'n die behoefte aan die voorsiening van ATS of die staking daarvan moet aan die Direkteur vir goedkeuring voorgelê word en

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moet geïnisieer word deur 'n voornemebrief gevolg deur 'n formele aansoek; en

(b) 'n formele aansoek moet vergesel word van die volgende:

(ek) fooie soos voorgeskryf in Deel 187;

(ii) 'n handleiding van prosedures;

(iii) 'n gedetailleerde sakeplan wat 'n veiligheidsplan en risikobepaling insluit; en

(iv) 'n oorgangsplan in lyn met die vereistes wat in Deel 172 uiteengesit word.

(7) Na goedkeuring deur die Direkteur van 'n handmatige prosedure, gedetailleerde sakeplan en oorgangsplan ingevolge hierdie Deel, sal 'n oudit van die ATSU uitgevoer word.

(8) Sodra 'n oudit ingevolge subregulasie (3) suksesvol uitgevoer is, sal die Direkteur 'n ATSU-goedkeuringsertifikaat vir 'n tydperk van ses maande uitreik.

(5) Die Owerheid moet binne 'n tydperk van ses maande 'n opvolginspeksie uitvoer om voldoening aan Dele 65, 140 en 172 te verifieer.

(6) Sodra die Direkteur tevrede is met die uitkoms van'nopvolginspeksie, kan die Direkteur verleng 'n geldigheids tydperk van 'n ATSU-goedkeuring sertifikaat vir 'n verdere tydperk van 12 maande";

(d) die invoeging na regulasie 172.01.8 van die volgende regulasie:

"**Portuur Ondersteuning Program**"

172.01.9 (1) 'n ATS-verskaffer moet toegang tot 'n proaktiewe en nie-strafbare portuurgroepondersteuningsprogram verseker en sodanige toegang moet beskikbaar gestel word aan 'n ATS-lisensiehouer en veiligheidsensitiewe werknemer soos voorgeskryf in Dokument SA CATS 140.

(2) 'n Portuurgroepondersteuningsprogram waarna in subregulasie (1) verwys word, moet die vertroulikheid van uitgeruilde data van betrokke persone beskerm en sodanige beskerming van vertroulikheid moet 'n voorvereiste wees vir 'n effektiewe portuurgroepondersteuningsprogram.".

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Wysiging van Deel 173 van die Regulasies

34. Deel 173 van die Regulasies word hierby gewysig deur:

(a) die vervanging van die Lys van Regulasies met die volgende Lys van Regulasies:

"ONDERDEEL 1: ALGEMEEN

173.01.1 Toepaslikheid

173.01.2 Vereiste vir goedkeuring

173.01.3 Vertoon van **[vlugprosedure-ontwerp]** goedkeuring

173.01.4 Veiligheidsinspeksies en oudits

173.01.5 Graderings

173.01.6 Register van goedkeurings

173.01.7 Opleiding en kontrolering

173.01.8 Gehalteversekeringstelsel

173.01.9 Fasiliteite en toerusting

173.01.10 Aansoek om goedkeuring of wysiging van **['n vlugprosedure-ontwerp]** goedkeuring

173.01.11 Uitreiking van **['n]** Instrumentvlugprosedure-ontwerp of Valideringsgoedkeuring

173.01.12 Geldigheidstydperk van **['n]** Instrumentvlugprosedure-ontwerp of -valideringsgoedkeuring

173.01.13 Hernuwing van **['n]** Instrumentvlugprosedure-ontwerp of -valideringsgoedkeuring

173.01.14 Dokumente en rekords";

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(b) vervanging in regulasie 173.01.1 vir subregulasie (1) van die volgende subregulasie:

"**173.01.1** (1) Hierdie **[deel]** Deel is van toepassing op—

(a) **[die]** ontwerp, grondvalidering, vlugvalidering, instandhouding, hersiening en wysiging **[en aanpassing]** van instrument vlug prosedures; en

(b) **[die]** goedkeuring en bedryf van organisasies wat instrument vlug prosedure-ontwerp, instrument vlug prosedure-validering, instandhouding, hersiening en wysiging **[of aanpassing]** uitvoer."

(c) die vervanging van regulasie 173.01.2 met die volgende regulasie:

"**173.01.2** 'n Organisasie mag nie, sonder 'n goedkeuring en toepaslike gradering en in ooreenstemming met die bepalings van sodanige goedkeuring wat ingevolge hierdie Deel uitgereik is,—

(a) ontwerp, onderhou of wysig instrument vlug prosedure; of

(b) 'n instrument vlug prosedure valideer.";

(d) die vervanging van regulasie 173.01.3 met die volgende regulasie:

"Vertoning van **[goedkeuring van vlugprosedure-ontwerp]** Goedkeuring

173.01.3 [Die] 'n Houer van **['n vlug prosedure-ontwerp goedkeuring]** 'n instrument vlug prosedure-ontwerp goedkeuring of 'n instrument vlug prosedure-validerings goedkeuring moet sodanige goedkeuring op 'n prominente plek vertoon, algemeen toeganklik vir die publiek by sodanige houer se hoof besigheidsplek, en, indien 'n afskrif van **[die toepaslike]** sodanige goedkeuring vertoon word, moet **[die]** oorspronklike goedkeuring aan 'n gemagtigde beampte, **[inspekteur]** inspekteur of gemagtigde persoon toon indien so 'n beampte, **[inspekteur]** inspekteur of persoon dit versoek."

(e) die vervanging van regulasie 173.01.4 met die volgende regulasie:

"**173.01.4** (1) 'n Aansoeker vir **['n vlug prosedure-ontwerp goedkeuring]** 'n instrument vlug prosedure-ontwerp goedkeuring of 'n instrument vlug

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prosedure-validerings goedkeuring moet 'n gemagtigde beampte, **[inspekteur]** inspekteur of gemagtigde persoon toelaat om sodanige veiligheidsinspeksies en oudits uit te voer wat nodig mag wees om die geldigheid van enige aansoek wat ingevolge hierdie Deel gemaak word, te verifieer.

(2) **[Die]** 'n Die houer van **['n vlug prosedure-ontwerp goedkeuring]** 'n instrument vlug prosedure-ontwerp goedkeuring of instrument vlug prosedure-validerings goedkeuring moet 'n gemagtigde beampte, **[inspekteur]** inspekteur of gemagtigde persoon toelaat om sodanige veiligheids inspeksies en oudits uit te voer wat nodig mag wees om voldoening aan die toepaslike vereistes wat in hierdie Deel voorgeskryf word, te bepaal.

(3) **[Die]** 'n Die houer van **['n vlug prosedure-ontwerp goedkeuring]** 'n instrument vlug prosedure-ontwerp goedkeuring of instrument vlug prosedure validerings goedkeuring, na gelang van die geval, moet 'n gemagtigde beampte, **[inspekteur]** inspekteur of gemagtigde persoon toelaat om—

(a) neem die praktyke en prosedures in ag van **[die]** 'n houer in die uitvoering van 'n instrument vlug prosedure-ontwerp of -validering;

(b) inspekteer en toets enige **[stelsels]** stelsel en toerusting wat gebruik word vir, of in verband met, 'n instrument vlug prosedure-ontwerp of -validering.

(f) die vervanging van regulasie 173.01.5 met die volgende regulasie:

"**173.01.5** Die graderings vir instrument vlug prosedure-ontwerp en grond validerings goedkeuring is—

(a) konvensionele prosedures; en

(b) prestasie gebaseerde navigasie prosedures.";

(g) die vervanging in regulasie 173.01.7 vir subregulasie (1) van die volgende subregulasie:

"**173.01.7** (1) **[Die]** 'n Houer van **['n vlug prosedure-ontwerp goedkeuring]** 'n instrument vlug prosedure-ontwerp goedkeuring of instrument vlug prosedure-ontwerp goedkeuring moet 'n opleidings- en kontrole program vir alle personeel waarna in hierdie Subdeel verwys word, instel en in stand hou wat

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sal verseker dat sodanige personeel voldoende opgelei en gekwalifiseerd is om hul toegewyse pligte uit te voer.";

(h) die vervanging van regulasie 173.01.9 met die volgende regulasie:

"**173.01.9** (1) **[Die]** Aansoeker vir 'n instrument vlug prosedure-ontwerp goedkeuring of instrument vlug prosedure-validerings goedkeuring moet die Direkteur oortuig dat hy/sy oor die fasiliteite en toerusting beskik wat nodig is om **[die]** 'n goedgekeurde omvang van **['n vlug prosedure-ontwerp goedkeuring]** 'n instrument vlug prosedure-ontwerp of instrument vlug prosedure-validering voldoende uit te voer, insluitend—

(a) voorsiening van geskikte persele en toerusting vir **[die aansoeker se]** personeel om **[vlug prosedure-ontwerp]** instrument vlug prosedure-ontwerp of instrument vlug prosedure-validering uit te voer met inagneming van die kritieke effek wat menslike faktore op die kwaliteit van die werk van die personeel kan hê; en

(b) verseker dat daardie werknemers toegang het tot alle nodige data vir die ontwerp of validerings instrument vlug prosedures.

(2) **[Die]** 'n Aansoeker moet, indien 'n lugvaartdatabasis en lugvaartdata gebruik word vir die ontwerp of validering van vlug prosedures, prosedures hê en in werking stel soos voorgeskryf in Dokument SA-CATS 173 en goedgekeur deur die Direkteur om die integriteit van die databasis en die data te verseker.

(i) die vervanging van regulasie 173.01.10 met die volgende regulasie:

Aansoek om goedkeuring of wysiging van ['n vlugprosedure-ontwerp] goedkeuring

"**173.01.10** (1) 'n Aansoek om **['n]** 'n instrument vlug prosedure-ontwerp goedkeuring of instrument vlug prosedure-validerings goedkeuring, of **['n]** wysiging daarvan, moet —

(a) aan die Direkteur gerig in die toepaslike voorgeskrewe vorm; en

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(b) vergesel deur—

(ek) die toepaslike fooi soos voorgeskryf in Deel 187; en

(ii) **[die]** bedryfshandleiding waarna verwys word in regulasies 173.02.1 en 173.03.1 soos van toepassing.

(2) In die geval waar 'n aansoeker voorheen **['n]** instrument vlug prosedure-ontwerp- of validerings goedkeuring ontvang het, en **[die]** sodanige goedkeuring **[gekanselleer]** herroep is, moet **[die aansoeker]** 'n aansoek **[saam met die aansoek enige]** inligting insluit om te bewys dat **[die]** aansoeker in 'n posisie sou wees om te voldoen aan alle vereistes met betrekking tot **[die]** ontwerp of validering van instrument vlug prosedures van die betrokke gradering of graderings."

(j) die vervanging in regulasie 173.01.11 vir subregulasie (1) en (2) van die volgende subregulasies:

"Uitreiking van **['n]** Instrument vlug prosedure-ontwerp of Validerings goedkeuring"

173.01.11 (1) Die Direkteur kan 'n **['n]** instrument vlug prosedure-ontwerp goedkeuring of instrument vlug prosedure -validerings goedkeuring uitreik indien die Direkteur tevrede is dat—

(a) **[die]** 'n aansoeker voldoen aan die vereistes wat in hierdie Deel voorgeskryf word;

(b) **[die]** 'n die aansoeker se personeel wat deur hierdie Deel vereis word, is bekwame personeel;

(c) **[die]** 'n aansoeker se senior personeel het nie 'n senior posisie beklee in 'n organisasie waarvan die goedkeuring deur die Direkteur of die Minister **[gekanselleer]** herroep is nie; en

(d) die verlening van die goedkeuring is nie strydig met die belange van lugvaartveiligheid nie.

(2) **[Die]** 'n Instrumentvlugprosedure-ontwerp of instrument vlug prosedure-validerings goedkeuring waarna in subregulasie (1) verwys word, moet die volgende bevat—

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(a) **[die]** 'n organisasie se naam en hoofplek van besigheid;

(b) die gradering of graderings wat deur **[die]** goedkeuring gedek word;

(c) enige [voorwaardes] voorwaarde wat op [die] sodanige goedkeuring van toepassing is;

(d) die effektiewedatum van goedkeuring **[datum waarop die goedkeuring van krag word]**; en

(e) enige ander inligting wat die Direkteur nodig ag."

(k) die vervanging in regulasie 173.01.12 vir subregulasie (1) met die volgende subregulasie:

"Geldigheidstydperk van **['n]** Instrument vlug prosedure-ontwerp- of validerings goedkeuring"

"**173.01.12** (1) **[A]** 'n Instrument vlug prosedure-ontwerp- of validerings goedkeuring of instrument vlug prosedure -validerings goedkeuring is geldig vir 12 maande **[die tydperk van een jaar]**, bereken van af die datum van **[uitreiking]** uitreiking **[of hernuwing daarvan]**."

(l) die vervanging in regulasie 173.01.13 vir subregulasie (1) van die volgende subregulasie:

"Hernuwing van **['n]** Instrument vlug prosedure-ontwerp- of validerings goedkeuring"

"173.01.13 (1) 'n Aansoek om die hernuwing van **['n]** 'n instrument vlug prosedure-ontwerp goedkeuring of instrument vlug prosedure-validerings goedkeuring, moet—… wees;"

(m) die vervangingsregulasie vir regulasie 173.01.14 van die volgende regulasie:

"**173.01.14** (1) **[Die]** Houer van **['n]** instrument vlug prosedure-ontwerp goedkeuring of instrument vlug prosedure-validerings goedkeuring, moet—

(a) hou kopieë van alle relevante dokumente soos voorgeskryf in Dokument SA-CATS 173—

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(i) vir die gespesifiseerde instrument vlug prosedure-ontwerp of instrument vlug prosedure valideringuitgevoer deur sodanige houer; en

(ii) om voldoening aan die toepaslike vereistes wat in hierdie voorgeskryf word, te bepaal **[onderdeel]** Subdeel; en

(b) stel prosedures vas om die dokumente waarna in paragraaf () verwys word, te beheer*'n*).

(2) **[Die]** 'n Houer van 'n goedkeuring waarna in subregulasie (1) verwys word, moet prosedures instel om alle rekords te identifiseer, in te samel, te indekseer, te stoor en in stand te hou wat nodig mag wees—

(a) vir **[die]** 'n gespesifiseerde instrument vlug prosedure-ontwerp of instrument vlug prosedure-validering wat deur sodanige houer uitgevoer is; en

(b) om voldoening aan die toepaslike vereistes wat in hierdie voorgeskryf word, te bepaal **[onderdeel]** Subdeel.

(3) Die prosedures waarna in [subregulasie (3)] subregulasie (2) verwys word, moet [getref word om] te verseker dat—

(a) 'n Rekord word gehou van elke kwaliteitsbeheer-oorsig van **[die]** 'n houer van **[die]** 'n goedkeuring;

(b) 'n Rekord word gehou van elke persoon wat dit doen **[die]** 'n gespesifiseerde instrument vlug prosedure-ontwerp of instrument vlug prosedure-validering, insluitend besonderhede van die bevoegdheids assesserings en ervaring van elke sodanige persoon;

(c) 'n Rekord word gehou van elke student wat opgelei of geassesseer word deur **[die]** 'n houer van **[die]** 'n goedkeuring, insluitend besonderhede van inskrywing, bywoning, modules, instrukteurkommentaar en enige ontwerp- of soortgelyke praktiese **[sessies]** sessie en assessering van elke sodanige student;

(d) rekords is leesbaar; en

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(e) Rekords word gehou vir die tydperk wat per tipe rekord gespesifiseer word soos voorgeskryf in Dokument SA-CATS 173, bereken vanaf die datum van die laaste inskrywing wat in sulke rekords gemaak is.";

(n) die vervanging in Subdeel 173 in die Lys van Regulasies van die volgende Lys:

"SUBDEEL 3: GOEDKEURING VAN INSTRUMENT VLUG PROSEDURE **[ONTWERP]** GROND VALIDASIE-ORGANISASIE (KATEGORIE B)"

173.03.1 Bedieningshandleiding

173.03.2 Personeelvereistes

173.03.3 Voorregte

173.03.4 Pligte van goedkeuringhouer

[173.03.5 Oordraagbaarheid van instandhouding van vlug prosedures]";

(o) vervanging in regulasie 173.03.1 vir subregulasie (1) van die volgende subregulasie:

"**173.03.1** (1) 'n Aansoeker vir **['n]** instrument vlug prosedure-**[ontwerp]** grond validerings goedkeuring ingevolge hierdie **[subdeel]** Subdeel moet die Direkteur voorsien van sy bedryfshandleiding wat—

(a) voldoen aan die vereistes wat in hierdie subdeel voorgeskryf word; en

(b) bevat die inligting voorgeskryf in Dokument SA-CATS 173;

(c) sal onderhewig wees aan goedkeuring soos voorgeskryf in Dokument SA-CATS 173."

(p) die vervanging van regulasie 173.03.2 met die volgende regulasie:

"**173.03.2** (1) 'n Aansoeker vir grondvalideringsgoedkeuring vir instrumentvlugprosedures moet gebruik maak van—

(a) 'n hoofvalideerder van 'n betrokke organisasie, wat die gesag het om te verseker dat grondvalideringsaktiwiteite wat deur'n organisasie word uitgevoer in ooreenstemming met die toepaslike

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vereistes soos uiteengesit in hierdie Subdeel, en sal beklee wees met die volgende bevoegdhede en verantwoordelikhede:

(i) reg op toegang tot ontwerp- en valideringswerk wat deur die werknemers van 'n organisasie onderneem word;

(ii) reg om met enige persoon te konsulteer met betrekking tot die nakoming van hierdie Subdeel;

(iii) die reg om enige valideringsaktiwiteit op te skort waar sodanige nakoming nie bewerkstellig word nie;

(iv) reg om direk aan die verantwoordelike bestuurder verslag te doen ingevolge Deel 140 met betrekking tot enige ondersoek en konsultasie wat uitgevoer word;

(v) verantwoordelikheid om 'n skakelmeganisme met die Owerheid te vestig ten einde kontak te vergemaklik en 'n korrekte manier van interpretasie en nakoming van die regulasies vas te stel; en

(vi) verantwoordelikheid om te verseker dat enige instrument vlug prosedure -grondvalidering waarvoor in 'n organisasie se goedkeuring voorsiening gemaak word, uitgevoer word op 'n wyse soos voorgeskryf in Dokument SA-CATS 173;

(b) toesighoudende personeel, indien 'n aansoeker van voorneme is om opleiding op die werk aan grondvalideerders te verskaf, wat ook as hoofontwerper kan optree; en

(c) voldoende gekwalifiseerde grondvalideerders om grondvalidering van die instrument vlug prosedure wat in 'n goedkeuring voorsien word, uit te voer.

(2) 'n Hoofvalideerder waarna in subregulasie (1) verwys word, moet voldoen aan die minimum vereistes wat in Dokument SA-CATS 173 voorgeskryf word.

(3) Indien 'n aansoeker vir grond validerings goedkeuring vir instrument vlug prosedure enige persoon as toesighoudende personeel in diens neem, moet so 'n persoon voldoen aan die minimum vereistes wat in Dokument SA-CATS 173 voorgeskryf word.

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(4) 'n Gekwalifiseerde grondvalideerder moet voldoen aan die minimum vereistes wat in Dokument SA-CATS 173 voorgeskryf word.

(5) 'n Hoofvalideerder wat ingevolge hierdie regulasie aangestel word, mag slegs aangestel word na kennisgewing aan die Direkteur.

(6) 'n Aansoeker moet 'n prosedure instel vir–

(a) aanvanklike assessering en instandhouding van die bevoegdheid van personeel betrokke by die beplanning van valideringsaktiwiteite; en

(b) toesig oor grond validerings aktiwiteite soos voorsien in 'n goedkeuring soos voorgeskryf in Dokument SA-CATS 173.

(7) Indien 'n aansoeker vir instrument vlug prosedure -grondvalidering van voorneme is om ook 'n instrument vlug prosedure -ontwerp goedkeuring ingevolge Subdeel 1 te besit, moet sodanige aansoeker verseker dat—

(a) 'n hoofontwerper en 'n hoofvalideerder is afsonderlike en verskillende persone; en

(b) 'n hoofontwerper en hoofvalideerder werk onafhanklik van mekaar in terme van operasionele aktiwiteite en hiërargie.";

(q) die vervanging van regulasie 173.03.3 met die volgende regulasie:

"**173.03.3** Die voorregte van **['n]** instrument vlug prosedure -**[ontwerp]** grond validerings goedkeuring wat ingevolge hierdie **[subdeel]** Subdeel uitgereik is, is beperk tot instrument vlug prosedure-**[ontwerp]** grond validerings waarvoor **[die]** goedkeuring gegradeer is. **[en is—**

(a) om 'n vlugprosedure aan te pas by die konserwatiewe standaard vir gebruik deur Suid-Afrikaans geregistreerde vliegtuie wat op of in die omgewing van 'n vliegveld in 'n vreemde land opereer, soos voorgeskryf in Dokument SA-CATS 173;

(b) om 'n vlugprosedure te ontwerp, in stand te hou, te hersien of te wysig vir gebruik deur Suid-Afrikaans geregistreerde vliegtuie wat opereer by, of in die omgewing van 'n installasie op die kus wat nie nader as 30 seemyl van die naaste land geleë is nie.]";

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(r) die vervanging van regulasie 173.03.4 met die volgende regulasie:

"**173.03.4** (1) **[Die]** Houer van **['n]** instrument vlug prosedure-**[ontwerp]** grond validerings goedkeuring moet—

(a) ten minste een volledige en huidige kopie van sy bedryfshandleiding waarna in regulasie 173.03.1 verwys word, by elke **[werkplek]** werkplek wat in **[die]** sodanige bedryfshandleiding gespesifiseer word, hou;

(b) voldoen aan alle prosedures wat in **[die]** bedryfshandleiding uiteengesit word;

(c) voortgaan om te voldoen aan **[die]** toepaslike vereistes wat in hierdie Deel voorgeskryf word; **[en]**

(d) verseker dat vlug prosedures gevalideer **[ontwerp, hersien, gewysig en aangepas]** soos voorgeskryf in Dokument SA-CATS 173; en

(e) maak daardie dele van 'n operasionele handleiding wat nodig is vir personeel om hul pligte uit te voer, beskikbaar aan sodanige personeel.

(2) By die uitvoering van instrument vlug prosedure-grond validering **[ontwerp, die]**, moet **['n]** houer van 'n instrument vlug prosedure-grond validerings goedkeuring **[elke vlugprosedure ontwerp, aanpas en verifieer soos voorgeskryf in Dokument SA-CATS 173.]** —

(a) valideer elke instrumentvlugprosedure soos voorgeskryf in Dokument SA-CATS 173;

(b) stuur elke instrumentvlugprosedure terug na 'n verantwoordelike instrumentvlugprosedure-ontwerporganisasie na grondvalidering vir voorlegging aan die Direkteur vir goedkeuring, soos voorgeskryf in Dokument SA-CATS 173; en

(c) voldoen aan die goedkeuringsproses wat in Dokument SA-CATS 173 voorgeskryf word.

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(3) **[Die houer van 'n vlugprosedure-ontwerpgoedkeuring moet, behoudens regulasie 173.03.5, elke vlugprosedure of aanpassing daarvan onderhou onder die voorwaardes voorgeskryf in Dokument SA-CATS 173.]** 'n Houer van 'n instrument vlugprosedure-grondvaliderings goedkeuring moet verseker dat instrument vlugprosedure-grondvalidering uitgevoer word onderworpe aan die voorwaardes voorgeskryf in Dokument SA-CATS 173.

[(4) Indien die houer van 'n vlugprosedure-ontwerpgoedkeuring ophou om verantwoordelik te wees vir die instandhouding van 'n vlugprosedure, moet die houer so gou as moontlik nadat die uitvoering van die betrokke vlugprosedure-ontwerp opgehou is, skriftelik kennis gee aan die Direkteur.]".

(s) die skrapping van regulasie 173.03.5.

(t) die invoeging in die Lys van Regulasies na Subdeel 3 van die volgende Lys van Regulasies:

"SUBPART 4: VLUGVALIDERINGSORGANISASIE (KATEGORIE C)
173.04.1 Bedryfshandleiding
173.04.2 Personeelvereistes
173.04.3 Voorregte
173.04.4 Pligte van goedkeuringhouer";

(u) die invoeging na Subdeel 3 van die volgende Subdeel:

" SUBDEELD 4: VLUGVALIDERINGSORGANISASIE (KATEGORIE C)

173.04.1 Bedryfshandleiding

(1) 'n Aansoeker vir 'n vlugvalideringsgoedkeuring ingevolge hierdie Subdeel moet die Direkteur voorsien van 'n bedryfshandleiding wat—

(a) voldoen aan die vereistes wat in hierdie Subdeel uiteengesit word; en

(b) bevat inligting soos voorgeskryf in Dokument SA-CATS 173.

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(2) 'n Operasionele handleiding, enelke wysiging daarvan moet aan die Direkteur vir goedkeuring voorgelê word

173.04.2 Personeel vereistes

(1) 'n Aansoekervir 'n vlugvalideringsgoedkeuring moet in diens wees van—

(a) 'n vlugvalideringsvlieënier aan wie kontraktuele magtiging verleen is om te verseker dat alle aktiwiteite wat deur 'n organisasie onderneem wordword uitgevoer in ooreenstemming met die vereistes voorgeskryf in Dokument SA-CATS 173, en wat beklee sal wees met bevoegdhede en pligte ten opsigte van die nakoming van sodanige vereistes om−

(ek) direk aan die bestuur van 'n organisasie verslag doen oor sy of haar ondersoeke en konsultasies in die algemeen, en met betrekking tot die resultate van skakeling waarna in subparagraaf (ii) verwys word;

(ii) skakelmeganismes met die Direkteur vestig met die doel om 'n korrekte wyse van nakoming en interpretasie van sulke vereistes vas te stel en skakeling tussen die Direkteur en 'n organisasie te fasiliteer; en

(iii) verseker dat vlugvalidasies wat deur 'n goedkeuring gedek word, uitgevoer word soos voorgeskryf in Dokument SA-CATS 173;

(b) toesighoudende personeel, indien 'n aansoeker van voorneme is om opleiding in diensvlugprosedure-ontwerp aan 'n vlieënier te verskaf; en

(c) voldoende aantal gekwalifiseerde vlugvalideringsvlieëniers om instrumentvlugprosedures wat deur 'n goedkeuring gedek word, te beplan en te valideer.

(2) 'n Vlugvalideringsvlieënier waarna in subregulasie (1) verwys word, moet voldoen aan die minimum vereistes soos voorgeskryf in Dokument SA-CATS 173.

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(3) Indien 'n aansoeker vir vlugvalideringsgoedkeuring van voorneme is om indiensopleiding aan 'n vlugvalideringsvlieënier te verskaf, moet 'n toesighoudende personeel waarna in subregulasie (1) verwys word, wees soos voorgeskryf in Dokument SA-CATS 173.

(4) 'n Aansoeker vir vlugvalideringsgoedkeuring moet die Direkteur binne 30 dae na die indiensneming van so 'n persoon in kennis stel van die aanstelling van 'n vlugvalideringsvlieënier.

(5) 'n Aansoeker vir vlugvalideringsgoedkeuring moet 'n prosedure instel vir die aanvanklike assessering en handhawing van die bevoegdheid van personeel betrokke by vlugvalideringsaktiwiteite wat deur 'n goedkeuring gedek word, soos voorgeskryf in Dokument SA-CATS 173.

(6) Indien 'n aansoeker vir 'n vlugvalideringsgoedkeuring van voorneme is om 'n instrumentvlugprosedure-ontwerpgoedkeuring en 'n instrumentvlugprosedure-grondvalideringsgoedkeuring te besit, moet sodanige aansoeker verseker dat—

(a) 'n hoofontwerper, 'n hoofvalideerder en 'n vlugvalideringsvlieënier is afsonderlike en verskillende persone; en

(b) 'n hoofontwerper, hoofvalideerder en vlugvalideringsvlieënier is onafhanklik van mekaar in terme van operasionele aktiwiteite en gesag.

173.04.3 Voorregte

(1) Die voorregte van 'n vlugvalideringsgoedkeuring wat ingevolge hierdie Subdeel uitgereik is, is beperk tot vlugvalidering van vlugprosedure-ontwerpe soos in 'n goedkeuring gespesifiseer.

173.04.4 Pligte van goedkeuringhouer

(1) 'n Houer van 'n vlugvalideringsgoedkeuring moet—

(a) verseker dat 'n bedryfshandleiding is—

(ek) beskikbaar vir die personeel wat dit benodig om hul pligte uit te voer;

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(ii) gewysig ingevolge die prosedure wat in sodanige handleiding voorgeskryf word;

(iii) gewysig ingevolge die vereistes van hierdie Deel en 'n afskrif van 'n wysiging word aan die Direkteur vir goedkeuring voorgelê; en

(iv) word te alle tye op datum en op datum gehou.

(b) sodanige wysigings aan die bedryfshandleiding aanbring as wat die Direkteur nodig ag in die belang van lugvaartveiligheid;

(c) voldoen aan al die prosedures wat in die bedryfshandleiding uiteengesit word;

(d) valideer elke instrumentvlugprosedure soos voorgeskryf in Dokument SA-CATS 173;

(e) elke vlugvalideringspakket aan die Direkteur voorlê vir goedkeuring soos voorgeskryf in Dokument SA-CATS 173; en

(f) verseker dat 'n ingediende vlugprosedure vergesel word van 'n toepaslike fooi soos voorgeskryf in Deel 187.".

Wysiging van Deel 175 van die Regulasies

35. Deel 175 van die Regulasies word hierby gewysig deur:

(a) die vervanging in regulasie 175.03.2 vir subregulasie (4) van die volgende subregulasie:

"(4) 'n AIS-verskaffer en data-oorspronklike moet voldoen aan die vereistes vir datakwaliteit **[spesifikasies]** soos voorgeskryf in Dokument SA-CATS 175."

Wysiging van Deel 177 van die Regulasies

36. Deel 177 van die Regulasies word hierby gewysig deur:

(a) die vervanging van die lys van regulasies deur die volgende lys van regulasies:

"ONDERDEEL 1: ALGEMEEN

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177.01.1 Toepaslikheid
177.01.2 Vereistes vir goedkeuring
177.01.3 Standaarde vir die ontwerp van lug vaart kartografie
177.01.4 Veiligheids inspeksies en oudits
177.01.5 Register van sertifikate
177.01.6 Vertoon van Lug vaart kundige Karterings diens verskaffer sertifikaat

SUBDEEL 2: VEREISTES VIR GOEDKEURING VAN LUG VAART KAART DIENS VERSKAFFER

177.02.1 Handleiding van prosedure
177.02.2 Gehalteversekeringstelsel
177.02.3 Personeelvereistes
177.02.4 Fasiliteitsvereistes
177.02.5 Aansoek om goedkeuring of wysiging van 'n sertifikaat vir lugvaartkundige karteringsdiensverskaffer
177.02.6 Uitreiking van sertifikaat
177.02.7 Geldigheidsduur en sertifikaat vir lugvaartkundige karteringsdienste
177.02.8 Hernuwing van sertifikaat vir lugvaartkundige karteringsdiensverskaffer
177.02.9 Dokumentasie
177.02.10 Pligte van houer van **[lugvaartkartografie]** Lugvaartkarteringsdiensverskaffersertifikaat";

(b) die vervanging in regulasie 177.01.1 vir subregulasie (1) van die volgende subregulasie:

"**177.01.1** (1) Hierdie Deel is van toepassing op—

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(a) die ontwerp, onderhoud, **[hersiening]**, of wysiging **[of aanpassing]** van lugvaartkaarte vir publikasie in die **[IAIP]** Lugvaartinligtingsproduk; en

(b) die goedkeuring en bedrywighede van 'n organisasie wat lugvaartkartografie-ontwerp verskaf, en **[onderhoud, hersiening]**, wysigings- [**of aanpassings]** dienste vir lugvaartkaarte.

(2) Hierdie Deel is nie van toepassing op 'n organisasie wat lugvaartkartografie-ontwerp-, onderhouds-, hersienings-, wysigings- of aanpassingsdienste verskaf vir kaarte wat nie in die **[IAIP]** Lugvaartinligtingsproduk gepubliseer is nie."

(c) die vervanging van regulasie 177.01.2 met die volgende regulasie:

"**177.01.2 [Nee]** 'n Organisasie mag nie lugvaartkaarte ontwerp, onderhou, **[hersien, wysig]** wysig of aanpas nie, behalwe onder die gesag van, en in ooreenstemming met die bepalings van, 'n lugvaartkartografiesertifikaat wat ingevolge hierdie Deel uitgereik is."

(d) die vervanging van die opskrif in regulasie 177.01.6 met die volgende opskrif:

"Vertoning van sertifikaat vir lugvaartkundige karteringsdienste";

(e) die vervanging van die opskrif van Subdeel 2 met die volgende opskrif:

"SUBDEEL 2: VEREISTES VIR GOEDKEURING VAN LUGVAARTKAARTDIENSVERSKAFFER";

(f) die vervanging in regulasie 177.02.3 vir subregulasie (1) subparagraaf(a)(i) met die volgende subparagraaf:

"**177.02.3** (1) 'n Aansoeker vir die uitreiking van 'n lugvaart kartografie sertifikaat moet die volgende aanstel, in diens neem of kontrakteer—

(a) voldoende opgeleide personeel om—

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(ek) ontwerp, onderhou **[, hersien]**, of lugvaartkaartdienste wat in sy prosedurehandleiding gelys word, wysig **[of aanpas]**; en

(ii) gehalte versekerings kontroles en verifikasie van lugvaartkaarte uitvoer soos gelys in sy prosedure handleiding."

(f) die vervanging van die opskrif in regulasie 177.02.5 met die volgende opskrif:

"Aansoek om goedkeuring of wysiging van die sertifikaat vir Lugvaartkundige Karteringsdiens verskaffer";

(g) die vervanging van die opskrif in regulasie 177.02.7 met die volgende opskrif:
"Geldigheidsduur en sertifikaat vir Lugvaartkundige Karteringsdiensverskaffer";

(h) die vervanging van die opskrif in regulasie 177.02.8 met die volgende opskrif:
"Hernuwing van sertifikaat vir lugvaartkundige karteringsdiensverskaffer";

(i) die vervanging in regulasie 177.02.10 vir subregulasie (1) van die volgende subregulasie:
"**Pligte van houer van lugvaartkartografiesertifikaat**"
177.02.10(1) 'n Houer van 'n lugvaartkartografiesertifikaat moet –

(a) voldoen aan alle prosedures en standaarde wat in die prosedurehandleiding uiteengesit word;

(b) elke toepaslike deel van die prosedurehandleiding beskikbaar stel aan personeel wat daardie dele benodig om hul pligte uit te voer; **[en]**

(c) voortgaan om aan die standaarde te voldoen en te voldoen aan die vereistes van hierdie **[deel]** Deel; en

(d) verseker dat enige skorsingofterugtrekking van 'n lugvaartkaart, sowel as wysigings aan die inhoud van 'n lugvaartkaart, word voor publikasie aan die Direkteur vir goedkeuring voorgelê.".

Wysiging van die Regulasies

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37. **Vervanging van sekere woorde en uitdrukkings**

Die regulasies word hierby gewysig deur die woord "toersweeftuig" te vervang waar dit ook al in Deel 68 van die regulasies voorkom met die woord "toersweeftuig".

Kort Titel en Aanvang

Hierdie Regulasies word die Drie-en-dertigste Wysiging van die Burger lug vaart regulasies, 2026 en sal kom in werking tree met publikasie in die Staats koerant, behalwe vir Deel 92, wat in werking tree met die proklamasie deur die President van die Wysig ingswet op Burger lug vaart, 2021 (Wet Nr. 22 van 2021).

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DEPARTMENT OF TRANSPORT

NO. 7845 **21 August 2026**

CIVIL AVIATION ACT, 2009 (ACT NO. 13 of 2009)

THIRTY-SIXTH AMENDMENT OF THE CIVIL AVIATION REGULATIONS, 2026

(The English Text is the official text of the Regulations)

I, Barbara Creecy, Minister of Transport, hereby, in terms of section 155(1) of the Civil Aviation Act, 2009 (Act No. 13 of 2009), make the Regulations set out in the Schedule hereunder.

Ms. B.D Creecy, MP
Minister of Transport
Date: 11/08/2026

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SCHEDULE

CIVIL AVIATION ACT, 2009 (ACT NO. 13 OF 2009)

THIRTY-SIXTH AMENDMENT OF THE CIVIL AVIATION REGULATIONS, 2026

GENERAL EXPLANATORY NOTE:

[ ] Words in bold type in square brackets indicate omissions from existing regulations.

_____ Words underlined with a solid line indicate insertions in existing regulations.

Definitions

In this Schedule "the Regulations" means the Civil Aviation Regulations, 2011 published by Government Notice No. R. 425 dated 1 June 2012, as amended.

Amendment of Part 43 of the Regulations

1. Part 43 of the Regulations is hereby amended by —

(a) the substitution for Regulation 43.02.1 of the following regulation:

"**43.02.1** (1) **[Each aircraft on the South African Civil Aircraft Register shall be maintained according to an approved aircraft maintenance programme as prescribed in regulation.]** A South African registered aeroplane with an MCTOW exceeding 5700kg or a helicopter with a MCTOW exceeding 3175kg shall be maintained according to an approved aircraft maintenance programme as provided in Regulation 43.02.8.

(2) An owner of an aircraft shall draw up or have drawn up a maintenance programme for **[his or her]** such owner's aircraft in accordance with the provisions

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of Document SA-CATS 43.

(3) An owner of an aircraft or a responsible AMO shall submit **[the]** an proposed maintenance programme to the Director for approval.

(4) The Director may approve a proposed aircraft maintenance programme **[either as submitted or as amended by him or her in the interest of aviation safety, provided that the proposed maintenance programme]** if it meets the requirements **[of]** as prescribed in Document SA-CATS 43.

(5) An owner of an aircraft may request the Director for a permanent or temporary amendment to **[the]** an approved aircraft maintenance programme.

(6) [**The]** An owner of an aircraft shall ensure that the design and application of **[the]** an aircraft maintenance programme takes into account human factors principles as prescribed in Document SA-CATS 43.";

(b) the substitution for Regulation 43.02.5 of the following Regulation:

"43.02.5 (1) An aircraft, its components and installed equipment shall be overhauled **[or substituted]** at such times as stipulated in its approved maintenance programme.

(2) A procedure for reinstating the validity of a certificate of airworthiness deemed suspended when an aircraft is involved in an accident or incident that renders one or more Class I products defective is prescribed in Document SA-CATS 43.

(3) Requirements for the overhaul of components and equipment installed on an aircraft and of engines and propellers are prescribed in Document SA-CATS 43.

"(4) Where the Director has approved a time between overhaul that differs from that recommended or specified by a manufacturer, such time between overhaul shall be specified in an aircraft's approved maintenance programme.

(5) Where applicable, a piston engine operated on condition shall be specified in an aircraft's condition monitoring program in accordance with the provisions prescribed in Document SA-CATS 43 Appendix 3.

(6) Where a manufacturer has not recommended or specified the overhaul of an item at certain times and the Director considers its overhaul at certain

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intervals necessary in the interest of safety, the Director may prescribe a time between overhaul for such item in the aircraft's approved maintenance programme.

(7) Requirements for the substitution of products, components and parts with new or overhauled items shall be as prescribed in Documents SA-CATS 43.";

Amendment of Part 91 of the Regulations

2. Part 91 is hereby amended by —

(a) the substitution for the List of Regulations of the following List:

"SUBPART 9: MAINTENANCE

91.09.1	General
91.09.2	**[Aeroplane]** Aircraft maintenance programme
91.09.3	Maintenance responsibilities
91.09.4	Maintenance records
91.09.5	Modifications and repairs
91.09.6	Maintenance release
91.09.7	Continuing airworthiness information.";

(b) the substitution for Regulation 91.09.1 of the following Regulation:

"**91.09.1** (1) **[No]** An owner, operator, or pilot of an aircraft shall not operate **[the]** an aircraft unless such **[an]** aircraft is maintained and released to service in accordance with the provisions of Part 43 or **[Part 24]** Part 44, as applicable **[to the aircraft]**.

(2) An owner or operator of an aircraft may assign the responsibility for **[the]** maintenance and release of his or her aircraft to an approved maintenance organisation by means of a written agreement.

(3) Notwithstanding the provisions of subregulation (1), an aeroplane with a MCTOW not exceeding 5700kg or helicopter not exceeding 3175kg and used solely for private operations where the piston engine fitted has reached or

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exceeded the time or calendar time between overhaul limitations, shall, as a minimum, be maintained and released to service in accordance with the provisions prescribed in Document SA-CATS 43 Appendix 3.";

(c) the substitution for regulation 91.09.2 of the following regulation:

"**[Aeroplane]** Aircraft Maintenance Program

91.09.2 **[Each owner or operator shall ensure that the aeroplane is maintained in accordance with an aeroplane maintenance programme, or and if applicable, in the aircraft's condition monitoring program and as specified in Document SA-CATS 43 or Document SA-CATS 24 , as applicable]** An owner or operator of an aircraft shall ensure that an aircraft is maintained in accordance with an approved aircraft maintenance programme and, where applicable conduct inspections as provided in a condition monitoring programme as prescribed in Document SA-CATS 43 or Document SA-CATS 44, as applicable.".

Amendment of Part 185 of the Regulations

3. Part 185 is hereby amended by —

(a) the substitution for regulation 185.01.1 of the following regulation:

"**185.01.1** (1**) [Any]** A person who commits an offence under the Act, or contravenes these Regulations, may be subjected to administrative or criminal action in terms of this Part.

(2) The Director shall establish a system for taking enforcement action against **[any]** a person who has infringed or committed an offence in terms of the Act or these Regulations that is impartial and administratively fair.

(3) The Director shall publish, for the use and guidance of authorised officers, inspectors, authorised persons, and enforcement officers, an enforcement procedure

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prescribing the manner in which enforcement actions, duties, and responsibilities shall be exercised.";

(b) the substitution for regulation 185.01.2 of the following regulation:

"**185.01.2** A person commits an offence if **[that]** such person—

(a) hinders or obstructs an authorised officer, inspector, or authorised person in the exercise of his or her powers or the performance of his or her duties;

(b) when called upon by an authorised officer, inspector, or authorised person **[to do so]**, refuses or fails to give his or her name, address, aviation licence, record, or approval or gives false information;

(c) obstructs or impedes any other person acting in **[the]** exercising or performance of any privileges, powers, or duties conferred on such other person by or under the **[regulations]** Regulations;

(d) makes or causes to be made, either orally or in writing—

(i) any fraudulent, misleading, or false statement for the purpose of obtaining any licence, rating, certificate, permit, approval, authorisation, exemption, or other document in terms of the **[regulations]** Regulations;

(ii) any fraudulent, misleading, or false entry in any logbook, record, or report which is required to be kept, maintained, made, or used to show compliance with any provision of the **[regulations]** Regulations; and

(iii) any fraudulent, misleading, or false statement to a member of the public to the effect that such a person is a holder of a licence, rating, certificate, permit, approval, authorisation, or exemption that entitles such a person to exercise and enjoy the privilege of rendering an air service for commercial gain under such licence, rating, certificate, permit, approval, authorisation, or exemption.

(e) falsifies, counterfeits, alters, defaces, mutilates, adds, or removes anything **[to,]** from any licence, rating, certificate, permit, approval, authorisation, exemption, or other document issued in terms of the **[regulations]** Regulations;

(f) **[does or causes, or permits to be done or caused, any act contrary to, or fails to comply with, any provision of the regulations, or a direction given or a prohibition made or a condition imposed or a rule, order or directive**

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made in terms thereof;] does, causes, or permits to be done any act contrary to any provision of these Regulations, or fails to comply with any provision of these Regulations, or with any direction, prohibition, condition, rule, order or directive issued, made or imposed in terms of the Act or these Regulations;

(g) exercises a privilege granted by, or uses, any licence, rating, certificate, permit, approval, authorisation, exemption, or other document issued under the **[regulations]** Regulations, of which he **[,]** or she **[or it]** is not **[the]** a holder;

(h) unless otherwise authorised in the Regulations, permits a licence, rating, certificate, permit, approval, authorisation, exemption, or other document issued under the **[regulations]** Regulations, of which he **[,]** or she **[or it]** is **[the]** a holder, to be used, or a privilege granted thereby, to be exercised, by any other person;

(i) **[operates or attempts to operate any an aircraft in respect of which no valid certificate of registration, and certificate of airworthiness, or authority to fly have been issued;]** operates or attempts to operate an aircraft which does not have a valid certificate of registration, certificate of airworthiness, or authority to fly;

(j) **[commits any act, whether by interference with any flight crew member, ATS personnel member, or AME, by tampering with any aircraft, or any part thereof, or by disorderly conduct or otherwise, which is likely to endanger the safety of any aircraft or its occupants]** interferes with a flight crew member, ATS personnel member, or an AME;

(k) without the permission of an aerodrome **[or heliport]** operator, enters any place within the boundaries of a licensed aerodrome **[or heliport]** which has been closed to the public;

(l) gives false information pertaining to the investigation of any aviation accident, **[or]** incident; **[and]**

(m) fails to comply or contravenes any provision of the Act **[and]** or these Regulations;

(n) tampers with any aircraft or any part thereof; or

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(o) engage in disorderly conduct or any conduct that is likely to endanger the safety of an aircraft or any person on board such aircraft.";

(c) the substitution in the list of Regulations of the following list of Regulations:

"SUBPART 2: ENFORCEMENT

185.02.1 General
185.02.2 Notice of **[investigation]** intended enforcement action
185.02.3 Penalty notice
185.02.4 Service of documents and records
185.02.5 Protection of information
185.02.6 General provisions regarding penalties.";

(d) the substitution for Regulation 185.02.1 of the following Regulation:

"**185.02.1** An enforcement officer may take administrative action which may result in the imposition of a **[penalty]** sanction as **[prescribed]** provided in Regulation 185.03.1 where it is established, on a balance of probabilities, that the conduct of a person or entity constitutes an offence **[and that such conduct was grossly negligent or wilful]** in terms of this Part.";

(e) the substitution for Regulation 185.02.2 of the following Regulation:

"Notice of **[investigation]** intended enforcement action

185.02.2 (1) An enforcement officer shall issue a notice of intended **[investigation]** enforcement action to an alleged offender on the appropriate form which shall—

(a) specify the nature of **[the]** an alleged offence committed;
(b) include evidence being relied upon pertaining to **[the]** an alleged offence;
(c) invite **[the]** an alleged offender to make representations **[either orally or]** in writing on the allegations within 30 days of the issue or service of **[the]** a notice.

(2) Following **[an investigation]** a notice of intended enforcement action, an enforcement officer must inform **[the]** an alleged offender of the outcome **[of such**

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investigation,] either by issuing a notice of no further action or by issuing **[the]** an offender with a notice of appropriate **[penalty]** sanction as prescribed in Regulation 185.03.1.";

(f) the substitution for Regulation 185.02.3 of the following Regulation:

"**185.02.3** (1) An enforcement officer shall issue a penalty notice on the appropriate form if he or she is satisfied, **[following an investigation]** based on the outcome of **[the]** an investigation, evidence and available information that the alleged offender has committed the offence.

(2) A penalty notice shall—

(a) specify the nature of **[the]** an alleged offence committed;

(b) include evidence being relied upon pertaining to **[the]** an alleged offence;

(c) specify **[the]**an administrative penalty payable for **[the]** such offence;

(d) invite **[the]**an alleged offender to make representations **[either orally or]** in writing on the allegations or pay **[the]** a monetary penalty within 30 days of the issue or service of **[the]** a notice; and

(e) specify the rights and obligations pertaining to **[the]** a notice.

(3) If an alleged offender pays **[the]** an administrative penalty referred to in **[sub-regulation]** subregulation (2)**.[—]**

[(a)] any liability of **[the alleged]** such offender specified in **[the]** a notice is considered as discharged. **[; and**

(b) the alleged offender shall not be regarded as having been convicted of an offence] .";

(g) the substitution for Regulation 185.02.4 of the following Regulation:

"185.02.4 (1**) [Any]** A notice served to an individual in terms of this subpart shall be served—

(a) by giving it to an individual personally;

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(b) by leaving it at, or by sending it per registered mail to **[the address of]** the place of residence or business of the individual's address last known to the Director or the enforcement officer;

(c) by giving it, at the place of residence or business of **[the]** such individual **[last known to the Director or enforcement officer]**, to an individual who is, or is reasonably believed to be, above the age of 16 years and apparently an occupant of, or employed at **[the]** such place; **[or]**

(d) by sending it to the last known email address of **[the]** such **[individual]** alleged offender; or

(e) by sending it to an alleged offender's personal social media account through direct messaging.

(2**) [Any]** A notice served to an entity in terms of this **[subpart]** Subpart shall be served—

(a) by sending it per registered mail to the head office, registered office, principal place of business or other postal address of **[the]** such entity;

(b) by giving it to an individual who is, or is reasonably believed to be, an officer of, or in the service of **[the]** such entity and above the age of 16 years, at the head office, registered office, principal office, or other place of business of **[the]** such entity; **[or]**

(c) by sending it to the last known email address of **[the]** such entity or **[a]** its representative of the entity; or

(d) by sending it to such entity's business social media account through direct messaging.

(3) The Director shall ensure that—

(a) proper records of all enforcement actions taken in terms of this **[regulation]** Regulation are kept in the premises of the Authority; and

(b) copies of all notices issued, reports written and decisions taken in respect of any alleged offence and any investigation undertaken in terms of this Part are retained on the individual's or entity's file.";

(h) the substitution for Regulation 185.02.5 of the following Regulation:

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"**185.02.5 [No]** Information obtained under the voluntary reporting system prescribed in Part 140 shall not be used against **[the]** a person reporting such information in any enforcement action taken in terms of this Part.";

(i) the substitution in the list of Regulations of the following list of Regulations:
"SUBPART 3: **[PENALTIES]** SANCTIONS

185.03.1 **[Penalties]** Sanctions
185.03.2 Administrative penalty

[Penalties] Sanctions

185.03.1 The following **[penalties]** sanctions may be imposed on an offender following an investigation:

(a) **[verbal]** counselling letter;
(b) letter of warning;
(c) remedial training;
(d) administrative **[penalties]**penalty; and
(e) suspension, downgrade, endorsement, revocation, or cancellation.";

(j) the substitution for Regulation 185.03.2 of the following Regulation:

"**185.03.1**(1) An administrative penalty imposed in accordance with Regulation 185.03.1 shall be commensurate with the severity of **[the]** an offence and shall at least be equal to the amounts prescribed in Table 1 or 2, as applicable.

(2) Where an administrative penalty is issued in a form of a spot fine, such spot fine may be imposed by an enforcement officer immediately upon receipt of an audit or inspection report with a serious regulatory contravention.

(3) A spot fine issued in terms of subregulation (2) shall be issued in line with the amounts provided in Table 1 and Table 2.

(4) If any person fails to pay an administrative penalty imposed on that person in terms of this Part, within the specified period, the Director may, by civil action in a

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competent court, recover such administrative penalty from such person as prescribed in section 144 of the Act.

TABLE 1

MAXIMUM ADMINISTRATIVE PENALTIES: NATURAL PERSONS			
REGULATION	**1ST OFFENCE**	**2ND OFFENCE**	**3RD OFFENCE**
185.01.2 (a)	**[R5 000]** R10 000	**[R10 000]** R20 000	**[R16 000]** R32 000
185.01.2(b)	**[R5 000]** R10 000	**[R10 000** R20 000	**[R16 000]** R32 000
185.01.2(c)	**[R5 000]** R10 000	**[R10 000]** R20 000	**[R16 000]** R32 000
185.01.2(d)	**[R10 000]** R20 000	**[R20 000** R20 000	**[R32 000]** R64 000
185.01.2(e)	**[R10 000]** R20 000	**[R20 000]** R20 000	**[R32 000]** R64 000
185.01.2(f)	**[R10 000]** R20 000	**[R20 000** R20 000	**[R32 000]** R64 000
185.01.2(g)	**[R10 000]** R20 000	**[R20 000]** R40 000	**[R32 000]** R64 000
185.01.2(h)	**[R10 000]** R20 000	**[R20 000]** R40 000	**R32 000]** R64 000
185.01.2(i)	**[R10 000]** R20 000	**[R20 000]** R40 000	**R32 000]** R64 000
185.01.2(j), (n) and (o)	**[R10 000]** R20 000	**[R20 000]** R40 000	**R32 000]** R64 000
185.01.2(k)	**[R5 000]** R10 000	**[R10 000]** R20 000	**[R16 000]** R32 000

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185.01.2(l)	**[R10 000]** R20 000	**[R20 000]** R40 000	**[R32 000]** R64 000
185.01.2(m)	Discretionary	Discretionary	Discretionary

TABLE 2

MAXIMUM ADMINISTRATIVE PENALTIES: LEGAL PERSONS			
REGULATION	**1ST OFFENCE**	**2ND OFFENCE**	**3RD OFFENCE**
185.01.2 (a)	**[R16 000]** R32 000	**[R32 000]** R64 000	**[R64 000]** R128 000
185.01.2(b)	**[R16 000]** R32 000	**[R32 000]** R64 000	**[R64 000]** R128 000
185.01.2(c)	**[R16 000]** R32 000	**[R32 000]** R64 000	**[R64 000]** R128 000
185.01.2(d)	**[R24 000]** R48 000	**[R48 000]** R96 000	**[R96 000]** R192 000
185.01.2(e)	**[R24 000]** R48 000	**[R48 000]** R96 000	**[R96 000]** R192 000
185.01.2(f)	**[R24 000]** R48 000	**[R48 000]** R96 000	**[R96 000]** R192 000
185.01.2(g)	**[R40 000]** R80 000	**[R80 000]** R160 000	**[R160 000]** R320 000
185.01.2(h)	**[R40 000]** R80 000	**[R80 000]** R160 000	**[R160 000]** R320 000
185.01.2(i)	**[R40 000]** R80 000	**[R80 000]** R160 000	**[R160 000]** R320 000
185.01.2(j),(o) and (n)	**[R24 000]** R48 000	**[R48 000]** R96 000	**[R96 000]** R192 600
185.01.2(k)	**[R16 000]** R32 000	**[R32 000]** R64 000	**[R64 000]** R128 000

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185.01.2(l)	**[R10 000]** R20 000	**[R20 000]** R40 000	**[R32 000]** R64 000
185.01.2(m)	Discretionary	Discretionary	Discretionary

(k) the substitution for Regulation 185.04.1 of the following Regulation:

"Suspension, revocation, cancellation, downgrade, or endorsement

185.04.1 (1) An authorised officer, inspector or authorised person may endorse, revoke, suspend, downgrade, or vary a registration, certificate, approval, licence, or authorisation issued under these Regulations, if—

(a) **[immediate endorsement, revocation, suspension, downgrade, or varying]** such action is necessary in the interests of aviation safety or security;

(b) an authorised officer, inspector or authorised person is prevented by **[the]** a holder of the registration, certificate, approval, licence, or authorisation from carrying out any safety or security inspection or audit or from performing any of the functions that **[the]**an authorised officer, inspector, or authorised person is permitted to perform in terms of the Act and these Regulations; or

(c) it is evident that **[the]** a holder of **[the]** a registration, certificate, approval, licence or authorisation does not comply with the relevant requirements **[prescribed in the regulations]** as provided in these Regulations, after such holder has been given at least 14 days within which to comply therewith.

(2) A notice of endorsement, revocation, suspension, downgrade or varying must be given in writing, and must comply with the provisions of section 117 of the Act.

(3) An authorised officer, inspector or authorised person who has endorsed, revoked, suspended, downgraded, or varied a registration, certificate, approval, licence, or authorisation must, after expiry of the 30 days appeal period outlined in Regulation 185.04.2, **[within 7 days]** submit a report in writing to the Director with **[a]** proof that a copy **[thereof]** of such applicable enforcement decision has been submitted to **[the]** a person concerned, stating the reasons why, in his or her opinion, such registration, certificate, approval, or authorisation should be revoked or cancelled.";

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(l) the substitution for Regulation 185.04.2 of the following Regulation:

"**185.04.2** (1) A person whose rights have been detrimentally affected by an administrative action taken by an inspector, authorised officer, authorised person, or enforcement officer in terms of the Act or this Part, may, after payment of the fee prescribed in Part 187, appeal against such a decision.

(2) An appeal in terms of **[sub-regulation]** subregulation (1) must be lodged with the Director within 30 days after the furnishing of reasons for **[the]** a decision.

(3) The Director must within three days of receiving such appeal in writing confirm, amend, or withdraw **[the]** a decision.

(4) The Director must within 14 days furnish written reasons to **[the]** an appellant for any decision taken in terms of **[sub-regulation]** subregulation (3).

(5**) [Any]** A person aggrieved by a decision taken in terms of **[sub-regulation]** subregulation (3) may appeal against such decision within five days of receipt of the reasons referred to in **[sub-regulation]** subregulation (3) to an appeal committee contemplated under section 122 of the Act.

(6) In adjudicating **[the]** an appeal contemplated in **[sub-regulation]** subregulation (3) the Director may afford **[the]** an appellant—

(a) a reasonable opportunity to make written representations;

(b) the opportunity to present and dispute information and arguments; and

(c) the opportunity to appear in person.

(7) The Director may, on good cause shown condone any non-compliance with the time period contemplated in **[sub-regulation]** subregulation (2).

(8) *(a)* If the Director sets aside any decision of an authorised officer, authorised person, inspector, or enforcement officer, **[the]** a fee referred to in **[sub-regulation]** subregulation (1) must be refunded to **[the]** an appellant.

(*b*) If the Director varies any such decision, **[he or she]** the Director may direct that the whole or any part of such fees be refunded to **[the]** an appellant.

(9) An appeal lodged in terms of this section does not suspend **[the]** a decision of **[the]**an authorised officer, authorised person, inspector, or enforcement officer.

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(10) A person whose licence, rating, certificate, or approval is cancelled or revoked by the Director shall comply with the requirements for initial issuance of such licence, rating, certificate, or approval.

(11) An application for the initial issuance of a revoked or cancelled licence, rating, certificate, or approval in terms of subregulation (10), shall not be made within a period of 60 months calculated from the date of cancellation or revocation of such licence, rating, certificate, or approval.";

(m) the deletion of Regulation 185.04.3.";

(n) the substitution for Regulation 185.04.4 of the following regulation:

"**185.04.4** (1) **[Any]** A person aggrieved by a decision taken by the Director referred to in **[sub-regulations]** subregulation (2) (*a*) to (*e*) of this Regulation, may lodge an appeal with the appeal committee established in terms of section 122 of the Act, against such decision within 30 days after receipt of the reasons for **[the]** a decision.

(2) **[Any]** A person or entity, as the case may be, may appeal against—

(a) a decision or decisions taken in terms of sections 98 (5) and 118 (3) of the Act;

(b) a decision by the Director to—

(i) refuse such person's application for exemption, registration, licence, certificate, approval, or authorisation, or to designate **[one or more Persons]** a person as **[inspectors]** inspector**,** authorised **[officers]** officer or **[persons]** person in terms of the Act;

(ii) issue, subject to any condition or restriction, such person's exemption, registration, licence, certificate, approval, or authorisation in terms of the Act; or

(iii) suspend, revoke, cancel, endorse, or vary such person's exemption, registration, licence, certificate, approval, or authorisation in terms of the Act;

(*c*) a decision taken in regard to **[the]** designation or withdrawal of a designation as **[inspectors]**inspector**, [authorised officers]** authorised officer or **[authorised persons]** authorised persons contemplated in section 88 (1) of the Act;

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(*d*) a decision refusing to lift the grounding order as contemplated in section 115 (2) of the Act;

(*e*) **[any]** a decision taken in terms of section 130 of the Act; or

(*f*) the issuance, amendment or withdrawal of technical standards for civil aviation in terms of section 163 of the Act .".

Short Title and Commencement

These Regulations are called the Thirty-Sixth Amendment of Civil Aviation Regulations, 2026 and shall come into operation upon Publication in the Government Gazette.

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DEPARTEMENT VAN VERVOER

NO. 7845 **21 Augustus 2026**

WET OP BURGERLUGVAART, 2009 (WET NO. 13 VAN 2009)

SES-EN-DERTIGSTE WYSIGING VAN DIE BURGERLUGVAARTREGULASIES, 2026

(Die Engelse teks is die amptelike teks van die Regulasies)

Ek, Barbara Creecy, Minister van Vervoer, maak hierby, ingevolge artikel 155(1) van die Wet op Burgerlugvaart, 2009 (Wet No. 13 van 2009), die Regulasies in die Bylae hierby bekend.

Mev. B.D. Creecy, MP
Minister van Vervoer
Datum: 11/08/2026

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SKEDULE

WET OP BURGERLUGVAART, 2009 (WET NO. 13 VAN 2009)

SES-EN-DERTIGSTE WYSIGING VAN DIE BURGERLUGVAARTREGULASIES, 2026

ALGEMENE VERDUIDELIKENDE AANTEKENING:

[ ] Woorde in vetdruk tussen vierkantige hakies dui skrappings uit bestaande regulasies aan.

_____ Woorde wat met 'n volstreep onderstreep word, dui invoegings in bestaande regulasies aan.

Definisies

In hierdie Bylae beteken "die Regulasies" die Burgerlugvaartregulasies, 2011, gepubliseer onder Goewermentskennisgewing No. R.425 van 1 Junie 2012, soos van tyd tot tyd gewysig.

Wysiging van Deel 43 van die Regulasies

1. Deel 43 van die Regulasies word hierby gewysig deur—

(a) die vervanging van Regulasie 43.02.1 met die volgende regulasie:

"**43.02.1** (1) **[Elke lugvaartuig op die Suid-Afrikaanse Burgerlugvaartuig register moet in stand gehou word volgens 'n goedgekeurde lugvaartuigonderhoudsprogram soos voorgeskryf in regulasie.]** 'n Suid-Afrikaans geregistreerde vliegtuig met 'n MCTOW van meer as 5700 kg of 'n helikopter met 'n MCTOW van meer as 3175 kg moet in stand gehou word ooreenkomstig 'n goedgekeurde lugvaartuigonderhoudsprogram soos voorgeskryf in Regulasie 43.02.8.

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(2) 'n Eienaar van 'n lugvaartuig moet 'n lugvaartuigonderhoudsprogram vir die vliegtuig opstel of laat opstel ooreenkomstig die bepalings van Dokument SA-CATS 43.

(3) 'n Eienaar van 'n lugvaartuig of 'n verantwoordelike goedgekeurde lugvaartonderhoudsorganisasie (AMO) moet 'n voorgestelde lugvaartuigonderhoudsprogram aan die Direkteur voorlê vir goedkeuring.

(4) Die Direkteur kan 'n voorgestelde lugvaartuigonderhoudsprogram goedkeur indien dit aan die vereistes van Dokument SA-CATS 43 voldoen.

(5) 'n Eienaar van 'n lugvaartuig kan die Direkteur versoek om 'n permanente of tydelike wysiging van 'n goedgekeurde lugvaartuigonderhoudsprogram.

(6) **[Die]** 'n Eienaar van 'n lugvaartuig moet verseker dat die ontwerp en toepassing van **[die]** 'n lugvaartuigonderhoudsprogram rekening hou met die beginsels van menslike faktore soos voorgeskryf in Dokument SA-CATS 43."

(b) die vervanging van regulasie 43.02.5 deur die volgende regulasie:

"**43.02.5** (1) 'n Lugvaartuig, sy komponente en geïnstalleerde toerusting moet op die tydstip of met die tussenposes wat voorgeskryf word in sy goedgekeurde onderhoudsprogram, opgeknap **[of vervang]** word.

(2) 'n Prosedure vir die herstel van die geldigheid van 'n lugwaardigheidsertifikaat wat as opgeskort beskou word wanneer 'n lugvaartuig betrokke is by 'n ongeluk of voorval wat een of meer Klas I-produkte gebrekkig maak, word voorgeskryf in Dokument SA-CATS 43.

(3) Vereistes vir die opknapping van komponente en toerusting wat op 'n lugvaartuig geïnstalleer is en van enjins en skroewe word voorgeskryf in Dokument SA-CATS 43.

"(4) Indien die Direkteur 'n tydperk tussen opknappings goedgekeur het wat verskil van die tyd wat deur 'n vervaardiger aanbeveel of gespesifiseer word, moet sodanige tydperk tussen opknappings in 'n lugvaartuig se goedgekeurde onderhoudsprogram gespesifiseer word.

(5) Indien van toepassing, moet 'n suierenjin wat onder toestandmonitering bedryf word, gespesifiseer word in 'n lugvaartuig se toestandmoniteringsprogram ooreenkomstig die bepalings voorgeskryf in Dokument SA-CATS 43 Aanhangsel 3.

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(6) Indien 'n vervaardiger nie die opknapping van 'n item op sekere tye aanbeveel of gespesifiseer het nie en die Direkteur die opknapping daarvan met sekere tussenposes in belang van veiligheid nodig ag, kan die Direkteur 'n tydperk tussen opknappings voorskryf vir sodanige item in die lugvaartuig se goedgekeurde onderhoudsprogram.

(7) Vereistes vir die vervanging van produkte, komponente en onderdele met nuwe of opgeknapte items sal wees soos voorgeskryf in Dokument SA-CATS 43."

Wysiging van Deel 91 van die Regulasies

2. Deel 91 word hierby gewysig deur—

(a) die vervanging van die Lys van Regulasies deur die volgende Lys:

"ONDERDEEL 9: ONDERHOUD

91.09.1	Algemeen
91.09.2	**[Vliegtuig]** Lugvaartuigonderhoudsprogram
91.09.3	Onderhoudsverantwoordelikhede
91.09.4	Onderhoudsrekords
91.09.5	Wysigings en herstelwerk
91.09.6	Onderhoudsvrystelling
91.09.7	Inligting oor voortgesette lugwaardigheid";

(b) die vervanging van Regulasie 91.09.1 deur die volgende Regulasie:

"**91.09.1** (1) **[Geen]** 'n Eienaar, operateur of vlieënier van 'n lugvaartuig mag nie 'n lugvaartuig bedryf tensy so 'n vliegtuig in stand gehou is en vir diens vrygestel is ooreenkomstig die bepalings van Deel 43 of **[Deel 24]** Deel 44, soos van toepassing **[op die lugvaartuig]** nie.

(2) 'n Eienaar of operateur van 'n lugvaartuig mag die verantwoordelikheid vir **[die]** instandhouding en vrystelling van sy of haar vliegtuig deur middel van 'n skriftelike ooreenkoms aan 'n goedgekeurde lugvaartonderhoudsorganisasie (AMO) oordra.

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(3) Ondanks die bepalings van subregulasie (1), 'n vliegtuig met 'n gesertifiseerde maksimum opstygmassa (MCTOW) van hoogstens 5700 kg of 'n helikopter van hoogstens 3175 kg en wat uitsluitlik vir privaat operasies gebruik word waar die aangebringde suierenjin die voorgeskrewe tyd- of kalenderperk tussen opknappings bereik of oorskry het, moet, as 'n minimum, gehandhaaf en vrygestel word vir diens ooreenkomstig die bepalings voorgeskryf in Dokument SA-CATS 43 Aanhangsel 3.";

(c) die vervanging van regulasie 91.09.2 met die volgende regulasie:

[Vliegtuig] Lugvaartuigonderhoudsprogram

"**91.09.2 [Elke eienaar of operateur moet verseker dat die vliegtuig in stand gehou word ooreenkomstig 'n lugvaartuigonderhoudsprogram, of en indien van toepassing, in die lugvaartuig se toestandmoniteringsprogram en soos gespesifiseer in Dokument SA-CATS 43 of Dokument SA-CATS 24, soos van toepassing]** 'n Eienaar of operateur van 'n vliegtuig moet verseker dat 'n lugvaartuig in stand gehou word ooreenkomstig 'n goedgekeurde lugvaartuigonderhoudsprogram en, waar van toepassing, inspeksies uitvoer ooreenkomstig 'n toestandmoniteringsprogram soos voorgeskryf in Dokument SA-CATS 43 of Dokument SA-CATS 44, soos van toepassing.

Wysiging van Deel 185 van die Regulasies

3. Deel 185 word hierby gewysig deur—

(a) die vervanging van regulasie 185.01.1 met die volgende regulasie:

"**185.01.1** (1) **[Enige]** 'n Persoon wat 'n oortreding ingevolge die Wet pleeg, of hierdie Regulasies oortree, kan aan administratiewe of strafregtelike verrigtinge onderwerp word ingevolge hierdie Deel.

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CONTINUES ON PAGE 386 OF BOOK 4

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(2) Die Direkteur moet 'n stelsel instel vir die neem van handhawingsaksies teen **[enige]** persoon wat 'n oortreding ingevolge die Wet of hierdie Regulasies oortree of gepleeg het, wat onpartydig en administratief billik is.

(3) Die Direkteur moet, vir die gebruik en leiding van gemagtigde beamptes, inspekteurs, gemagtigde persone en handhawingsbeamptes, 'n handhawingsprosedure uitreik wat die wyse voorskryf waarop handhawingsaksies, pligte en verantwoordelikhede uitgeoefen moet word.";

(b) die vervanging van regulasie 185.01.2 deur die volgende regulasie:

"**185.01.2** 'n Persoon pleeg 'n oortreding indien **[daardie]** sodanige persoon—

(a) 'n gemagtigde beampte, inspekteur of gemagtigde persoon hinder of belemmer in die uitoefening van sy of haar bevoegdhede of die uitvoering van sy of haar pligte;

(b) wanneer hy of sy deur 'n gemagtigde beampte, inspekteur of gemagtigde persoon versoek word **[om dit te doen]**, weier of versuim om sy of haar naam, adres, lugvaartlisensie, rekord of goedkeuring te verskaf of valse inligting te verskaf;

(c) enige ander persoon wat handel in **[die]** uitoefening of uitvoering van enige voorregte, bevoegdhede of pligte wat aan sodanige ander persoon deur of kragtens die **[regulasies]** Regulasies verleen is, belemmer of hinder;

(d) maak of laat maak, hetsy mondeling of skriftelik—

(i) enige bedrieglike, misleidende of valse verklaring met die doel om enige lisensie, gradering, sertifikaat, permit, goedkeuring, magtiging, vrystelling of ander dokument ingevolge die **[regulasies]** Regulasies te verkry;

(ii) enige bedrieglike, misleidende of valse inskrywing in enige logboek, rekord of verslag wat gehou, in stand gehou, gemaak of gebruik moet word om voldoening aan enige bepaling van die **[regulasies]** Regulasies aan te toon; enp0

(iii) enige bedrieglike, misleidende of valse verklaring aan 'n lid van die publiek met die gevolg dat so 'n persoon 'n houer is van 'n lisensie, gradering, sertifikaat, permit, goedkeuring, magtiging of vrystelling wat so 'n persoon die reg gee om die voorreg uit te oefen en te geniet om 'n lugdiens vir

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kommersiële gewin te verrig kragtens sodanige lisensie, gradering, sertifikaat, permit, goedkeuring, magtiging of vrystelling.

(e) vervals, namaak, verander, ontsier, skend, voeg by of verwyder enigiets **[aan]** enige lisensie, gradering, sertifikaat, permit, goedkeuring, magtiging, vrystelling of ander dokument wat ingevolge die **[regulasies]** Regulasies uitgereik is;

(f) **[verrig of veroorsaak, of laat toe dat enige handeling gedoen of veroorsaak word, strydig met, of versuim om te voldoen aan, enige bepaling van die regulasies, of 'n opdrag gegee of 'n verbod gemaak of 'n voorwaarde opgelê of 'n reël, bevel of opdrag gemaak ingevolge daarvan];** enige handeling strydig met enige bepaling van hierdie Regulasies verrig, veroorsaak of toelaat dat dit verrig word, of versuim om te voldoen aan enige bepaling van hierdie Regulasies, of aan enige aanwysing, verbod, voorwaarde, reël, bevel of riglyn uitgereik, gemaak of opgelê ingevolge die Wet of hierdie Regulasies;

(g) 'n voorreg uitoefen wat toegestaan word deur, of gebruik maak van, enige lisensie, gradering, sertifikaat, permit, goedkeuring, magtiging, vrystelling of ander dokument uitgereik kragtens die **[regulasies]** Regulasies, waarvan hy **[,]** of sy **[of dit]** nie **[die]** houer is nie;

(h) tensy anders gemagtig in die Regulasies, toelaat dat 'n lisensie, gradering, sertifikaat, permit, goedkeuring, magtiging, vrystelling of ander dokument uitgereik kragtens die **[regulasies]** Regulasies, waarvan hy **[,]** of sy **[of dit]** **[die]** houer is, aangewend word, of 'n voorreg wat daardeur verleen word, uitgeoefen word, deur enige ander persoon;

(i) **[bedryf of poog om enige lugvaartuig te bedryf ten opsigte waarvan geen geldige registrasiesertifikaat en lugwaardigheidsertifikaat of vliegmagtiging uitgereik is nie];** 'n lugvaartuig bedryf of probeer bedryf wat nie 'n geldige registrasiesertifikaat, lugwaardigheidsertifikaat of vliegmagtiging het nie;

(j) **[pleeg enige daad, hetsy deur inmenging met enige vlugbemanningslid, lugverkeerdienspersoneellid of vliegondersoeker, deur te peuter met**

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enige lugvaartuig of enige deel daarvan, of deur wanordelike gedrag of andersins, wat waarskynlik die veiligheid van enige lugvaartuig of sy insittendes in gevaar sal stel] 'n vlugbemanningslid, vlugverkeerdienspersoneellid of 'n vliegondersteuner belemmer;

(k) sonder die toestemming van 'n vliegveld-**[of helihawe]**-operateur, enige plek binne die grense van 'n gelisensieerde vliegveld **[of helihawe]** betree wat vir die publiek gesluit is;

(l) gee valse inligting met betrekking tot die ondersoek na enige lugvaartongeluk, **[of]** voorval; **[en]**

(m) versuim om te voldoen aan of oortree enige bepaling van die Wet **[en]** of hierdie Regulasies;

(n) peuter met enige lugvaartuig of enige deel daarvan; of

(o) deelneem aan wanordelike gedrag of enige gedrag wat waarskynlik die veiligheid van die lugvaart bedryf of enige persoon aan boord van sodanige lugvaartuig in gevaar sal stel";

(c) die vervanging in die lys van Regulasies met die volgende lys van Regulasies: "SUBDEELD 2: AFDWINGING

185.02.1 Algemeen
185.02.2 Kennisgewing van **[ondersoek]** beoogde handhawingsaksie
185.02.3 Boetekennisgewing
185.02.4 Betekening van dokumente en rekords
185.02.5 Beskerming van inligting
185.02.6 Algemene bepalings rakende strawwe"

(d) die vervanging van Regulasie 185.02.1 deur die volgende Regulasie:

"**185.02.1** 'n Handhawingsbeampte kan administratiewe handhawingsmaatreëls tref wat kan lei tot die oplegging van 'n **[straf]** sanksie soos **[voorgeskryf]** bepaal in Regulasie 185.03.1 waar dit, op 'n oorwig van waarskynlikhede, vasgestel word dat

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die gedrag van 'n persoon of entiteit 'n oortreding uitmaak **[en dat sodanige gedrag grof nalatig of opsetlik was]** ingevolge hierdie Deel."

(e) die vervanging van Regulasie 185.02.2 deur die volgende Regulasie:

"Kennisgewing van [ondersoek] beoogde handhawingsaksie

185.02.2 (1) 'n Handhawingsbeampte moet 'n kennisgewing van beoogde **[ondersoek]** handhawingsaksie aan 'n beweerde oortreder uitreik op die toepaslike vorm, wat—

(a) die aard van **[die]** 'n beweerde oortreding wat gepleeg is, spesifiseer;

(b) getuienis insluit waarop gesteun word met betrekking tot **[die]** 'n beweerde oortreding;

(c) **[die]** beweerde oortreder nooi om binne 30 dae na die uitreiking of betekening van **[die]** kennisgewing **[mondeling of]** skriftelik vertoë oor die bewerings te rig.

(2) Na aanleiding van 'n kennisgewing van beoogde handhawingsaksie **[van 'n ondersoek]**, moet 'n handhawingsbeampte **[die]** beweerde oortreder in kennis stel van die uitslag **[van sodanige ondersoek],** óf deur 'n kennisgewing dat geen verdere handhawingsoptrede geneem sal word nie uit te reik óf deur 'n kennisgewing van gepaste **[straf]** sanksie aan **[die]** oortreder uit te reik soos voorgeskryf in Regulasie 185.03.1."

(f) die vervanging van Regulasie 185.02.3 deur die volgende Regulasie:

"**185.02.3** (1) 'n Handhawingsbeampte moet 'n boetekennisgewing op die toepaslike vorm uitreik indien hy of sy tevrede is, **[na 'n ondersoek]** op grond van die bevindinge van **[die]** ondersoek, bewyse en beskikbare inligting dat die beweerde oortreder die oortreding gepleeg het.

(2) 'n Boetekennisgewing moet—

*(a)*die aard spesifiseer van **[die]** 'n beweerde oortreding wat gepleeg is;

(b) getuienis insluit waarop gesteun word met betrekking tot **[die]** 'n beweerde oortreding;

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(c) 'n administratiewe boete spesifiseer wat vir sodanige oortreding betaalbaar is;

(d) die beweerde oortreder nooi om mondelinge of skriftelike vertoë oor die bewerings te rig of 'n administratiewe boete te betaal binne 30 dae na **[die]** uitreiking of betekening van 'n kennisgewing; en

(e) die regte en verpligtinge met betrekking tot **[die]** 'n kennisgewing spesifiseer.

(3) Indien 'n beweerde oortreder **[die]** administratiewe boete waarna in [subregulasie] subregulasie (2) verwys word, betaal, **[—]**

[(a)]enige aanspreeklikheid van **[die beweerde]** sodanige oortreder wat in **[die]** kennisgewing gespesifiseer word, word as kwytgeskeld beskou. **[; en**

(b) die beweerde oortreder word nie as skuldig aan 'n misdryf geag nie aan 'n misdryf nie]";

(g) die vervanging van Regulasie 185.02.4 deur die volgende Regulasie:

"**185.02.4** (1) **[Enige]** 'n Kennisgewing wat aan 'n individu ingevolge hierdie subdeel beteken word, moet beteken word—

(a) deur dit persoonlik aan 'n individu te gee;

(b) deur dit af te lewer by, of deur dit per geregistreerde pos te stuur na **[die adres van]** die individu se laaste bekende woon- of besigheidsadres aan die Direkteur of die handhawingsbeampte;

(c) deur dit te gee, by die woonplek of besigheidsplek van **[die]** sodanige individu **[laas bekend aan die Direkteur of handhawingsbeampte]**, aan 'n individu wat ouer as 16 jaar is, of redelikerwys vermoed word te wees, en blykbaar 'n bewoner van, of in diens van **[die]** sodanige plek is; **[of]**

(d) deur dit te stuur na die laaste bekende e-posadres van **[die]** sodanige **[individuele]** beweerde oortreder; of

(e) deur dit deur middel van direkte elektroniese boodskappe na 'n beweerde oortreder se persoonlike sosialemediarekening te stuur.

(2) **[Enige]** 'n Kennisgewing wat aan 'n entiteit ingevolge hierdie **[subdeel]** Subdeel beteken word, moet beteken word—

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(a) deur dit per geregistreerde pos te stuur na die hoofkantoor, geregistreerde kantoor, hoofplek van besigheid of ander posadres van **[die]** sodanige entiteit;

(b) deur dit te gee aan 'n individu wat 'n beampte van, of in diens van **[die]** sodanige entiteit is, of redelikerwys vermoed word te wees, en ouer as 16 jaar is, by die hoofkantoor, geregistreerde kantoor, hoofkantoor of ander plek van besigheid van **[die]** sodanige entiteit; **[of]**

(c) deur dit te stuur na die laaste bekende e-posadres van **[die]** sodanige entiteit of **['n]** sy verteenwoordiger van die entiteit; of

(d) deur dit na sodanige entiteit se besigheid se sosialemediarekening deur middel van direkte elektroniese boodskappe te stuur.

(3) Die Direkteur moet verseker dat—

(a) behoorlike rekords van alle handhawingsaksies wat ingevolge hierdie **[regulasie]** Regulasie geneem word, moet op die perseel van die Owerheid gehou; en

(b) afskrifte van alle uitgereikte kennisgewings, geskrewe verslae en besluite wat geneem is met betrekking tot enige beweerde oortreding en enige ondersoek wat ingevolge hierdie Deel onderneem word, word op die individu of entiteit se lêer bewaar."

(h) die vervanging van Regulasie 185.02.5 deur die volgende Regulasie:

"**185.02.5 [Geen]** Inligting wat verkry is kragtens die vrywillige verslagdoeningstelsel voorgeskryf in Deel 140, mag nie teen **[die]** 'n persoon wat sodanige inligting rapporteer, gebruik word in enige handhawingsaksie wat ingevolge hierdie Deel geneem word nie."

(i) die vervanging in die lys van Regulasies met die volgende lys van Regulasies:
"ONDERDEEL 3: **[STRAFMAATREËLS]** SANKSIES

185.03.1 **[Straf]** Sanksies
185.03.2 Administratiewe boete";

[Strafmaatreëls] Sanksies

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185.03.1 Die volgende **[straf]** sanksies kan na 'n ondersoek aan 'n oortreder opgelê word:

(a) **[verbaal]** beradingsbrief;
(b) waarskuwingsbrief;
(c) remediërende opleiding;
(d) administratiewe **[straf]** boete; en
(e) skorsing, afgradering, endossement, herroeping of kansellasie."

(j) die vervanging van Regulasie 185.03.2 deur die volgende Regulasie:

"**185.03.1** "(1) 'n Administratiewe boete wat ingevolge regulasie 185.03.1 opgelê word, moet in verhouding staan tot die erns van die oortreding en mag nie minder wees as die toepaslike bedrag wat in Tabel 1 of Tabel 2 voorgeskryf word nie.

(2) Indien 'n administratiewe boete in die vorm van 'n onmiddellike administratiewe boete uitgereik word, kan sodanige onmiddellike administratiewe boete deur 'n handhawingsbeampte opgelê word onmiddellik na ontvangs van 'n oudit- of inspeksieverslag met 'n ernstige regulatoriese nie-nakoming.

(3) 'n Boete wat ingevolge subregulasie (2) uitgereik word, word uitgereik ooreenkomstig die bedrae wat in Tabel 1 en Tabel 2 verskaf word.

(4)Indien enige persoon versuim om 'n administratiewe boete wat ingevolge hierdie Deel aan sodanige persoon opgelê is, binne die gespesifiseerde tydperk te betaal, kan die Direkteur, deur middel van siviele verrigtinge in 'n bevoegde hof, sodanige administratiewe boete van sodanige persoon verhaal soos voorgeskryf in artikel 144 van die Wet.

TABEL 1

MAKSIMUM BEDRAE VAN ADMINISTRATIEWE BOETES: NATUURLIKE PERSONE			
REGULASIE	**EERSTE OORTREDING**	**TWEEDE OORTREDING**	**DERDE OORTREDING**

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185.01.2(a)	**[R5 000]** R10 000	**[R10 000]** R20 000	**[R16 000]** R32 000
185.01.2(b)	**[R5 000]** R10 000	**[R10 000]** R20 000	**[R16 000]** R32 000
185.01.2(c)	**[R5 000]** R10 000	**[R10 000]** R20 000	**[R16 000]** R32 000
185.01.2(d)	**[R10 000]** R20 000	**[R20 000]** R20 000	**[R32 000]** R64 000
185.01.2(e)	**[R10 000]** R20 000	**[R20 000]** R20 000	**[R32 000]** R64 000
185.01.2(f)	**[R10 000]** R20 000	**[R20 000]** R20 000	**[R32 000]** R64 000
185.01.2(g)	**[R10 000]** R20 000	**[R20 000]** R40 000	**[R32 000]** R64 000
185.01.2(h)	**[R10 000]** R20 000	**[R20 000]** R40 000	**[R32 000]** R64 000
185.01.2(i)	**[R10 000]** R20 000	**[R20 000]** R40 000	**[R32 000]** R64 000
185.01.2(j), (n) en (o)	**[R10 000]** R20 000	**[R20 000]** R40 000	**[R32 000]** R64 000
185.01.2(k)	**[R5 000]** R10 000	**[R10 000]** R20 000	**[R16 000]** R32 000
185.01.2(l)	**[R10 000]** R20 000	**[R20 000]** R40 000	**[R32 000]** R64 000
185.01.2(m)	Diskresionêr	Diskresionêr	Diskresionêr

TABEL 2

MAKSIMUM BEDRAE VAN ADMINISTRATIEWE BOETES: REGSPERSONE

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REGULASIE	1STE OORTREDING	2DE OORTREDING	3DE OORTREDING
185.01.2(a)	**[R16 000]** R32 000	**[R32 000]** R64 000	**[R64 000]** R128 000
185.01.2(b)	**[R16 000]** R32 000	**[R32 000]** R64 000	**[R64 000]** R128 000
185.01.2(c)	**[R16 000]** R32 000	**[R32 000]** R64 000	**[R64 000]** R128 000
185.01.2(d)	**[R24 000]** R48 000	**[R48 000]** R96 000	**[R96 000]** R192 000
185.01.2(e)	**[R24 000]** R48 000	**[R48 000]** R96 000	**[R96 000]** R192 000
185.01.2(f)	**[R24 000]** R48 000	**[R48 000]** R96 000	**[R96 000]** R192 000
185.01.2(g)	**[R40 000]** R80 000	**[R80 000]** R160 000	**[R160 000]** R320 000
185.01.2(h)	**[R40 000]** R80 000	**[R80 000]** R160 000	**[R160 000]** R320 000
185.01.2(i)	**[R40 000]** R80 000	**[R80 000]** R160 000	**[R160 000]** R320 000
185.01.2(j), (n) en (o)	**[R24 000]** R48 000	**[R48 000]** R96 000	**[R96 000]** R192 600
185.01.2(k)	**[R16 000]** R32 000	**[R32 000]** R64 000	**[R64 000]** R128 000
185.01.2(l)	**[R10 000]** R20 000	**[R20 000]** R40 000	**[R32 000]** R64 000
185.01.2(m)	Diskresionêr	Diskresionêr	Diskresionêr

(k) die vervanging van Regulasie 185.04.1 deur die volgende Regulasie:

"Skorsing, herroeping, kansellasie, afgradering of endossement"

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185.04.1 (1) 'n Gemagtigde beampte, inspekteur of gemagtigde persoon kan 'n registrasie, sertifikaat, goedkeuring, lisensie of magtiging wat ingevolge hierdie Regulasies uitgereik is, endosseer, herroep, opskort, afgradeer of wysig, indien—

(a) **[onmiddellike endossement, herroeping, opskorting, afgradering of wysiging]** sodanige optrede noodsaaklik is in die belang van lugvaartveiligheid of -sekuriteit;

(b) 'n Gemagtigde beampte, inspekteur of gemagtigde persoon word deur 'n houer van die registrasie, sertifikaat, goedkeuring, lisensie of magtiging verhinder om enige veiligheids- of sekuriteitsinspeksie of oudit uit te voer of om enige van die funksies te verrig wat 'n gemagtigde beampte, inspekteur of gemagtigde persoon ingevolge die Wet en hierdie Regulasies mag verrig; of

(c) dit blyk dat **[die]** 'n houer van **[die]** 'n registrasie, sertifikaat, goedkeuring, lisensie of magtiging nie voldoen aan die toepaslike vereistes **[voorgeskryf in die regulasies]** soos voorgeskryf in hierdie Regulasies nie, nadat sodanige houer minstens 14 dae gegun is om daaraan te voldoen.

(2) 'n Kennisgewing van endossement, herroeping, skorsing, afgradering of wysiging moet skriftelik gegee word en moet voldoen aan die bepalings van artikel 117 van die Wet.

(3) 'n Gemagtigde beampte, inspekteur of gemagtigde persoon wat 'n registrasie, sertifikaat, goedkeuring, lisensie of magtiging onderskryf, herroep, opgeskort, afgegradeer of gewysig het, moet, na verstryking van die 30-dae appèlperiode uiteengesit in Regulasie 185.04.2, **[binne 7 dae]** 'n skriftelike verslag aan die Direkteur voorlê met **['n]** bewys van betekening van 'n afskrif **[daarvan]** van sodanige toepaslike handhawingsbesluit aan **[die]** betrokke persoon beteken is, met vermelding van die redes waarom hy of sy van mening is dat, sodanige registrasie, sertifikaat, goedkeuring of magtiging herroep of gekanselleer moet word."

(l) die vervanging van Regulasie 185.04.2 deur die volgende Regulasie:

185.04.2 (1) 'n Persoon wie se regte nadelig beïnvloed is deur 'n administratiewe optrede wat deur 'n inspekteur, gemagtigde beampte, gemagtigde persoon of handhawingsbeampte ingevolge die Wet of hierdie Deel geneem is, kan, na betaling van die fooi voorgeskryf in Deel 187, teen so 'n besluit appèl aanteken.

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(2) 'n Appèl ingevolge **[subregulasie]** subregulasie (1) moet binne 30 dae na die verstrekking van redes vir **[die]** besluit by die Direkteur ingedien word.

(3) Die Direkteur moet binne drie dae na ontvangs van sodanige appèl skriftelik 'n besluit bevestig, wysig of terugtrek.

(4) Die Direkteur moet binne 14 dae skriftelike redes aan **[die]** 'n appellant verskaf vir enige besluit wat ingevolge **[subregulasie]** subregulasie (3) geneem is.

(5) **[Enige]** 'n Persoon wat gegrieweerd voel deur 'n besluit wat ingevolge [subregulasie] subregulasie (3) geneem is, kan binne vyf dae na ontvangs van die redes waarna in **[subregulasie]** subregulasie (3) verwys word, teen sodanige besluit appelleer by 'n appèlkomitee soos beoog ingevolge artikel 122 van die Wet.

(6) By die beregting van 'n appèl soos beoog in **[subregulasie]** subregulasie (3) kan die Direkteur 'n appellant die volgende gee—

(a) 'n redelike geleentheid om skriftelike vertoë te rig;
(b) die geleentheid om inligting en argumente aan te bied en te betwis; en
(c) die geleentheid om persoonlik te verskyn.

(7) Die Direkteur kan, indien gegronde redes aangevoer word, enige nie-nakoming van die tydperk beoog in **[subregulasie]** subregulasie (2) goedkeur.

(8) (a) Indien die Direkteur enige besluit van 'n gemagtigde beampte, gemagtigde persoon, inspekteur of handhawingsbeampte tersyde stel, moet **[die]** 'n fooi waarna in **[subregulasie]** subregulasie (1) verwys word, aan **[die]** 'n appellant terugbetaal word.

(b) Indien die Direkteur so 'n besluit wysig, kan **[hy of sy]** die Direkteur gelas dat die geheel of 'n gedeelte van sodanige fooie aan **[die]** 'n appellant terugbetaal word.

(9) 'n Appèl wat ingevolge hierdie artikel ingedien word, skort nie **[die]** 'n besluit van **[die]** 'n gemagtigde beampte, gemagtigde persoon, inspekteur of handhawingsbeampte op nie.

(10) 'n Persoon wie se lisensie, gradering, sertifikaat of goedkeuring deur die Direkteur gekanselleer of herroep word, moet voldoen aan die vereistes vir die aanvanklike uitreiking van sodanige lisensie, gradering, sertifikaat of goedkeuring.

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(11) 'n Aansoek om die aanvanklike uitreiking van 'n herroepte of gekanselleerde lisensie, gradering, sertifikaat of goedkeuring ingevolge subregulasie (10) mag nie binne 'n tydperk van 60 maande bereken vanaf die datum van kansellasie of herroeping van sodanige lisensie, gradering, sertifikaat of goedkeuring gedoen word nie."

(m) die skrapping van Regulasie 185.04.3.";

(n) die vervanging van Regulasie 185.04.4 met die volgende regulasie:

"**185.04.4** (1) **[Enige]** 'n Persoon wat gegrieweerd is deur 'n besluit geneem deur die Direkteur waarna verwys word in **[subregulasies]** subregulasie (2) (a) tot (e) van hierdie Regulasie, kan binne 30 dae na ontvangs van die redes vir **[die]** besluit 'n appèl aanteken by die appèlkomitee wat ingevolge artikel 122 van die Wet ingestel is, teen sodanige besluit.

(2) **[Enige]** 'n Persoon of entiteit, na gelang van die geval, kan appelleer teen—

(a) 'n besluit of besluite geneem ingevolge artikels 98 (5) en 118 (3) van die Wet;

(b) 'n besluit deur die Direkteur om—

(i) sodanige persoon se aansoek om vrystelling, registrasie, lisensie, sertifikaat, goedkeuring weier, of magtiging, of om **[een of meer Persone]** 'n persoon as **[inspekteurs]** inspekteur, gemagtigde **[beamptes]** beampte of **[persone]** persoon ingevolge die Wet aan te wys;

(ii) uitreik, onderworpe aan enige voorwaarde of beperking, sodanige persoon se vrystelling, registrasie, lisensie, sertifikaat, goedkeuring, of magtiging ingevolge die Wet; of

(iii) opskort, herroep, sodanige persoon se vrystelling, registrasie, lisensie, sertifikaat, goedkeuring of magtiging ingevolge die Wet kanselleer, endosseer of wysig;

(c) 'n besluit geneem met betrekking tot **[die]** aanwysing of intrekking van 'n aanwysing as **[inspekteurs]** inspekteur, **[gemagtigde beamptes]** gemagtigde beampte of **[gemagtigde persone]** gemagtigde persone soos beoog in artikel 88 (1) van die Wet;

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(d) 'n besluit wat weier om die grondingsbevel op te hef soos beoog in artikel 115 (2) van die Wet;

(e) **[enige]** 'n besluit geneem ingevolge artikel 130 van die Wet; of

(f) die uitreiking, wysiging of terugtrekking van tegniese standaarde vir burgerlugvaart ingevolge artikel 163 van die Wet.".

Kort Titel en Aanvang

Hierdie Regulasies heet die Ses-en-dertigste Wysiging van die Burgerlugvaartregulasies, 2026, en tree op die datum van publikasie in die Staatskoerant in werking.

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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 4111 OF 2026

INTERNATIONAL TRADE ADMINISTRATION COMMISSION

APPLICATION FOR AN INCREASE IN THE RATE OF CUSTOMS DUTY ON ALUMINIUM CHLOROHYDRATE (ACH), CLASSIFIABLE IN TARIFF SUBHEADING 2827.32, FROM FREE OF DUTY TO 10% *AD VALOREM* DUTY.

APPLICANT:
MCFI INTERNATIONAL (Pty) Ltd
7 Morewood Road
P.O Box 450
Hammarsdale

Background of the application:

During 2024, the International Trade Administration Commission of South Africa ("ITAC" or "the Commission") considered an application by MCFI International (Pty) Ltd for an increase in the rate of customs duty on Aluminium Chlorohydrate ("ACH"), classifiable under tariff subheading 2827.32, from free of duty to 10% *ad valorem*. An investigation was subsequently initiated on 23 August 2024, through the publication of Notice No. 2695 of 2024 in Government Gazette No. 51114, inviting interested parties to submit comments on the application.

The Commission subsequently made a recommendation to the Minister of Trade, Industry and Competition ("the Minister") regarding the application. The Minister, however, referred the Commission's recommendation back to ITAC for further investigation and consideration. In the referral, the Minister requested that ITAC consider, *inter alia*, evolving market dynamics and updated trade data, which introduced new considerations regarding the competitive environment facing the domestic ACH industry.

Pursuant to the Minister's referral, the Commission hereby invites all interested parties throughout the ACH value chain, including domestic manufacturers, importers, distributers, downstream users and any other interested parties, to submit comments, information, and supporting evidence for consideration. Such submission will assist the Commission in developing a comprehensive understanding of the current condition of the domestic ACH industry, prevailing market conditions, and any other relevant factors that may have bearing on the Commission's further consideration of the matter.

Note: Comments must be provided in the format of a questionnaire obtainable on ITAC's website at www.itac.org.za**.**

Ref: 01/2024 **Enquiries**: Mr. Joseph Mawasha, Email: jmawasha@itac.org.za, Mr Scelo Mshengu, Email: smshengu@itac.org.za; Mr. Nkulana Phenya, Email: nphenya@itac.org.za, and Mr Sipho Tshabalala, Email: stshabalala@itac.org.za.

PUBLICATION PERIOD:

Representation should be submitted to the above ITAC officials within **four (4) weeks** of the date of this notice.

DEPARTMENT OF TRADITIONAL AFFAIRS

NOTICE 4112 OF 2026

MINISTRY
COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS
REPUBLIC OF SOUTH AFRICA

COMMISSION ON KHOI-SAN MATTERS
INVITATION TO NOMINATE MEMBERS

The Minister for Cooperative Governance and Traditional Affairs, in accordance with section 52(1)(*a*) of the Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019) (hereinafter referred to as the TKLA), hereby invites the public to nominate persons who may be considered for appointment as members of the Commission on Khoi-San Matters.

Section 51 of the TKLA intends to establish a Commission on Khoi-San Matters. The main purpose of this Commission will be to assist government with the recognition process of Khoi-San communities and leaders. The Commission must investigate applications for recognition of Khoi-San communities and leaders and make recommendations in this regard to the national Minister responsible for Traditional and Khoi-San leadership.

The Commission was established with effect from 1 September 2021 for a period of five years ending 30 August 2026. The Minister approved the extension of the term of the Commission for a period of two and a half years. The Commission will consist of a chairperson, a deputy chairperson and three (3) other members. The members will serve on a full-time basis, subject to a decision of the Minister.

Members of the Commission must be South African citizens and must collectively represent a pool of knowledge concerning issues relevant to Khoi-San groupings. Section 52(1)(b) of the TKLA furthermore requires the members of the Commission to have qualifications or experience in or knowledge appropriate to:

(a) Anthropology;
(b) The history relating to the Khoi-San;
(c) The customary law and customs and the institutions of Khoi-San leadership, or
(d) The law.

Kindly note that nominations must include the following:

(a) A completed nomination form. These forms can be requested from LoratoM@cogta.gov.za or can be obtained from Ms Lorato Motlhala (Room 211 E), Pencardia 1, 509 Pretorius Street, Arcadia, Pretoria. It can also be downloaded from the COGTA webpage: www.cogta.gov.za.

(b) A comprehensive Curriculum Vitae of the nominee.

(c) A detailed indication (accompanied by evidence) of how such nominee meets the requirements of section 52(1) (b) of the TKLA.

(d) A signed letter of acceptance by the nominee. (Before accepting a nomination, nominees are advised to familiarise themselves with the content of the TKLA, in particular those provisions relating to the recognition of Khoi-San communities and leaders, and the provisions relating to the Commission.)

(e) A clear indication of whether the nominee is eligible for possible recognition as a senior Khoi-San leader or is a member of a community which may apply for possible recognition as a Khoi-San community. It should be noted that no such person may serve on the Commission.

Members of the Commission will be appointed in their own right and not as representatives of specific Khoi-San groupings, communities, organisations or constituents.

The closing date and time for nominations is Monday, 31 August 2026 at 16:00. All nominations must be accompanied by the required documentation. Kindly note that incomplete or late nominations will not be considered.

Nominations must be e-mailed to BolwangM@cogta.gov.za and LoratoM@cogta.gov.za, or must be delivered by hand to one of the following officials of the Department of Traditional Affairs: Mr Bolwang Mabogoane (Room 213E) or Ms Lorato Motlhala (Room 211E), Pencardia I, 509 Pretorius Street, Arcadia, Pretoria.

Once the appointment process has been completed, the name of the member appointed will be published in the Government *Gazette*.

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UITNODIGING OM PERSONE TE NOMINEER VIR OORWEGING AS LID VAN DIE KOMMISSIE OOR KHOI-SAN AANGELEENTHEDE

Ingevolge artikel 52(1)(*a*) van die Wet op Tradisionele en Khoi-San-leierskap, 2019 (Wet No. 3 van 2019) (die Wet), nooi die Minister van Samewerkende Regering en Tradisionele Aangeleethede hiermee die publiek uit om persone te nomineer wat oorweeg kan word vir aanstelling as ‘n lid van die Kommissie oor Khoi-San Aangeleenthede.

Artikel 51 van die Wet maak voorsiening vir die instelling van die Kommissie oor Khoi-San Aangeleenthede. Die hoofdoel van hierdie Kommissie is om die regering by te staan met die erkenningsproses van Khoi-San gemeenskappe en leiers. Die Kommissie moet aansoeke vir erkenning van Khoi-San gemeenskappe en leiers ondersoek, en aanbevelings ten opsigte hiervan maak aan die nasionale Minister verantwoordelik vir tradisionele en Khoi-San leierskap.

Die Kommissie was ingestel met ingang van 1 September 2021 vir 'n tydperk van vyf jaar wat eindig op 30 Augustus 2026. Die Minister het die verlenging van die Kommissie se termyn met 'n tydperk van twee en 'n half jaar goedgekeur. Die Kommissie sal bestaan uit 'n voorsitter, 'n adjunkvoorsitter en drie (3) ander lede. Die lede sal op 'n voltydse grondslag dien, onderworpe aan 'n besluit van die Minister.

Lede van die Kommissie moet Suid-Afrikaanse burgers wees en moet gesamentlik oor kennis en kundigheid beskik ten opsigte van aangeleenthede wat op die Khoi-San groeperings van toepassing is. Artikel 52(1)(*b*) van die Wet vereis verder dat die lede van die Kommissie kwalifikasies, ervaring in of kennis moet hê van—

(a) antropologie;
(b) die geskiedenis van die Khoi-San;
(c) die gewoontereg en gebruike van die Khoi-San en instellings van Khoi-San leierskap; of
(d) die reg.

Vlotheid in Afrikaans sal ‘n addisionele voordeel wees.

Neem asseblief kennis dat nominasies die volgende moet insluit: —

(a) ‘n Voltooide nominasievorm. Hierdie vorm kan afgehaal word by LoratoM@cogta.gov.za of kan verkry word by Me Lorato Motlhala (Kantoor 211E), Pencardia 1, Pretoriusstraat 509, Arkadia, Pretoria.

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(b) ‘n Volledige *Curriculum Vitae* van die genomineerde.

(c) ‘n Gedetailleerde aanduiding (tesame met gepaste bewyse) van hoe die genomineerde aan die vereistes van artikel 52(1)*(b)* van die Wet voldoen.

(d) ‘n Brief van aanvaarding onderteken deur die genomineerde. (Genomineerdes word aangeraai om, alvorens hulle ‘n nominasie aanvaar, hulself te vergewis van die inhoud van die Wet, veral die bepalings wat betrekking het op die erkenning van Khoi-San gemeenskappe en leiers, asook die bepalings wat van toepassing is op die Kommissie).

(e) ‘n Duidelike aanduiding of die betrokke genomineerde self in aanmerking kan kom vir erkenning as ‘n Khoi-San leier of ‘n lid is van ‘n gemeenskap wat moontlik aansoek kan doen vir erkenning as ‘n Khoi-San gemeenskap. Neem asseblief kennis dat sodanige persoon nie ‘n lid van die Kommissie kan wees nie.

Lede van die Kommissie word in eie reg aangestel en nie as verteenwoordigers van spesifieke Khoi-San groeperings, gemeenskappe, organisasies of lede nie.

Die sluitingsdatum en tyd vir die indiening van nominasies is Maandag, 31 Augustus 2026, om 16:00. Alle nominasies moet deur die vereiste dokumentasie vergesel wees. Neem asseblief kennis dat onvolledige of laat nominasies nie oorweeg sal word nie.

Nominasies moet per e-pos gestuur word aan LoratoM@cogta.gov.za of BolwangM@cogta.gov.za, of kan per hand afgelewer word by Me Lorato Motlhala (Kantoor 211E), Pencardia 1, Pretoriusstraat 509, Arcadia, Pretoria.

Sodra die aanstellingsproses afgehandel is, sal die naam van die lid in die *Staatskoerant* gepubliseer word.

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