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GOVERNMENT NOTICE

DEPARTMENT OF TRANSPORT

No. R. 181

20 February 2009

AVIATION ACT, 1962 (ACT NO 74 OF 1962)

THIRTY-FIFTH AMENDMENT TO THE CIVIL AVIATION REGULATIONS, 1997

The Minister of Transport has under section 22(1) of the Aviation Act, 1962 (Act No 74 of 1962) made the regulations in the Schedule hereto.

SCHEDULE

Definition

1. In these regulations unless the context otherwise indicates "the Regulations" means the Civil Aviation Regulations, 1997, published by Government Notice No's R.1219 of 26 September 1997 and R.1255 of 17 October 1997, as amended by Government Notice No R. 1735 of 24 December 1997, Government Notice No R. 1041 of 14 August 1998, Government Notice No R. 1148 of 18 September 1998, Government Notice No's R. 1664 of 14 December 1998, and Government Notice No R. 1701 of 31 December 1998, Government Notice No 1702 of 31 December 1998, Government Notice No R.639 of 21 May 1999, Government Notice No R. 170 of 17 February 2000, Government Notice No R. 171 of 18 February 2000, Government Notice No R. 558 of 22 June 2001 Government Notice No R. 559 of 30 August 2002, Government Notice No R. 1367 of 15 November 2002, Government Notice No R. 1368 of 15 November 2002, Government Notice No 1369 of 15 November 2002, Government Notice No R. 1370 of 15 November 2002, Government Notice No R. 1371 of 15 November 2002, Government Notice No R. 1372 of 15 November 2002, Government Notice No R. 434 of 28 March 2003, Government Gazette No 435 of 28 March 2003 Government Gazette No R.1375 of 1 October 2003 and Government Gazette No 1340 of 31 March 2004, Government Notice No R.807 dated 4 August 2006, Government Notice No R. 1371 dated 28 December 2006, Government Notice No R. 364 dated 26 April 2006, Government Notice No R. 571 dated 13 July 2007, Government Notice No R. 572 dated 13 July 2007, Government Notice No R. 573 dated 13 July 2007, and Government Notice No R. 574 dated 13 July 2007. Government Notice No R. 572 dated 13 July 2007, Government Notice No R. 573 dated 13 July 2007, Government Notice No R. 574 dated 13 July 2007, Government Notice No R.1233 dated 20 December 2007 Government Notice No R. 1234 dated 20 December 2007, Government Notice dated 30 May 2008 and Government Notice No R. 700 dated 30 June 2008 and Government Notice No R. 936 of 5 September 2008.

Amendment of Regulation 1.00.1 of Part 1 of the Regulations

2. Regulation 1.00.1 is herewith amended by the insertion of the following definition after the definition of "**Movement Area**":

"**National Pilot Licence**" means a pilot licence or rating issued in terms of Part 62 of the regulations and is not recognised by the International Civil Aviation Organisation (ICAO) and may therefore only be utilised within the borders of the Republic, unless its use is specifically authorised by the responsible authority for other foreign airspace."

Amendment of Regulation 61.01.3 of Part 61 of the Regulations

3. Regulation 61.01.3 is herewith amended by the substitution for sub-regulation (5) of the following sub-regulation:

"(5) The holder of a licence issued in terms of Part 61 shall not be required to be issued with a national pilot licence in terms of Part 62 for the purpose of flying Conventionally Controlled Microlight Aeroplanes and Light Sport Aeroplanes: Provided that he or she;

- (a) undergoes differences or familiarisation training; and
- (b) complies with the relevant requirements in Part 62 for the type by name or class rating, as the case may be, of the aeroplanes endorsed in his or her logbook by a suitably rated instructor."

Amendment of Regulation 61.01.9 of Part 61 of the Regulations

4. Regulation 61.01.9 is herewith amended by the substitution for sub-regulation (9) of the following sub-regulation:

"(9)(a) The holder of a recreational pilot licence who wishes to obtain a Private Pilot licence must comply with the requirements as stipulated in regulation 61.03.1 (1) to (3) and SA-CATS-FCL 61.02.5.

(b) The holder of a helicopter pilot licence, or an equivalent pilot licence in the weight shift controlled microlight aeroplane, gyroplane or glider category who wishes to obtain a Private Pilot Licence (Aeroplane) may be credited with up to a maximum of 10 hours. The additional 35 hours required must be addressed in a Private Pilot Licence training course that includes:

- (i) a minimum of 20 hours dual instruction in an aeroplane, which must include 5 hours instrument instruction time; and
- (ii) a minimum of 15 hours solo flying time, which must include 5 hours cross country flying time and one triangular cross-country flight of at least 150 NM, on which at least one point must not be less than 50 NM from base, including full-stop landings at two different aerodromes away from base: Provided that at least one of the

aerodromes from which the aircraft takes off for this flight shall be an aerodrome at which an air traffic services unit is in operation and for which a flight plan shall be submitted.

(c) The holder of a recreational pilot licence endorsed with the Conventionally Controlled Microlight Aeroplane category who wishes to obtain a Private Pilot Licence (Aeroplane) may be credited with up to a maximum of 25 hours. The additional 20 hours required must be addressed in a Private Pilot Licence training course that includes:

(i) a minimum of 10 hours dual instruction in an aeroplane which must include 5 hours instrument instruction time; and

(ii) a minimum of 10 hours solo flying time, which must include 5 hours cross country flying time and one triangular cross-country flight of at least 150 NM, on which at least one point must be not less than 50 NM from base, including full-stop landings at two different aerodromes away from base: Provided that at least one of the aerodromes from which the aircraft takes off for this flight shall be an aerodrome at which an air traffic services unit is in operation and for which a flight plan shall be submitted.

(d) The holder of a recreational pilot licence endorsed with the Light Sport Aeroplane category who wishes to obtain a Private Pilot Licence (Aeroplane) may be credited with up to a maximum of 30 hours. The additional 15 hours required must be addressed in a Private Pilot Licence training course that includes:

(i) a minimum of 10 hours dual instruction in an aeroplane, which must include 5 hours instrument instruction time; and

(ii) a minimum of 5 hours solo flying time, which must include one triangular cross-country flight of at least 150 NM, on which at least one point must be not less than 50 NM from base, including full-stop landings at two different aerodromes away from base: Provided that at least one of the aerodromes from which the aircraft takes off for this flight shall be an aerodrome at which an air traffic services unit is in operation and for which a flight plan shall be submitted."

Amendment of regulation 61.03.1 of Part 61 of the Regulations

5. Regulation 61.03.1 of the Regulations is herewith amended by the substitution in sub-regulation (2) for the words preceding paragraph (a) of the following words:

"(2) An applicant for a Private Pilot Licence (Aeroplane) must have completed not less than 45 hours flight time as pilot of an aeroplane with a maximum certificated mass in excess of 450 kg of which –;"

Amendment of regulation 62.01.13 of Part 62 of the Regulations

6. Regulation 62.01.13 is herewith amended by the substitution for sub-regulations (9) and (10) of the following sub-regulations:

“(9) Notwithstanding the provisions of this regulation, the holder of a recreational pilot licence endorsed with the category weight-shift controlled microlight aeroplane or gyroplane, shall -

- (a) be entitled to be credited with not more than 15 hours flight time acquired in a weight-shift controlled microlight aeroplane or gyroplane, as the case may be, towards the total flight time experience prescribed for the endorsement of a recreational pilot licence endorsed with the category light sport aeroplane;
- (b) have acquired knowledge in the subjects meteorology and navigation towards the theoretical knowledge requirements prescribed for the endorsement of a recreational flight instructor rating endorsed with the category light sport aeroplane.

(10) Notwithstanding the provisions of this regulation, the holder of a recreational pilot licence endorsed with the category conventionally controlled microlight aeroplane, shall -

- (a) be entitled to be credited with not more than 20 hours flight time acquired in a conventionally controlled microlight aeroplane towards the total flight time experience prescribed for the endorsement of a National pilot licence with the category light sport aeroplane;
- (b) have acquired knowledge in the subjects meteorology, engines and air frames and navigation towards the theoretical knowledge requirements prescribed for the endorsement of a recreational flight instructor rating with the category light sport aeroplane.”

Amendment of regulation 62.03.5 of Part 62 of the Regulations

7. Regulation 62.03.5 is herewith amended by the substitution for sub-regulation (3) of the following sub-regulation:

“(3) Notwithstanding the provisions of sub-regulation (1) –

- (a) the holder of a recreational pilot licence may exercise the privileges of his or her licence for reward or remuneration in an aeroplane operated in terms of Part 96, provided that he or she is the holder of a valid Part 96 authorisation issued in terms of Subpart 14 of this Part.
- (b) the holder of a valid recreational flight instructor rating may conduct flight training for remuneration under the auspices of an appropriately rated, approved aviation training organisation.

Amendment of heading to Subpart 4 of Part 62 of the Regulations

8. The heading to Subpart 4 of Part 62 is herewith amended by the substitution for the said heading of the following heading:

“REQUIREMENTS FOR THE ISSUE OF A CATEGORY, CLASS OR TYPE RATING BY NAME FOR CONVENTIONALLY CONTROLLED MICROLIGHT AEROPLANES”.

Amendment of regulation 62.04.2 of Part 62 of the Regulations

9. Regulation 62.04.2 is herewith amended by the substitution for sub-regulation (2) of the following sub-regulation:

“(2) (a) Notwithstanding the provisions of sub-regulation (1), in the case of an applicant who is the holder of a category, class or type rating for weight-shift controlled microlight aeroplanes or light sport aeroplanes, the hour requirements and the cross-country requirements may be relaxed at the discretion of the flight instructor who conducts the skill test, referred to in regulation 62.04.5.

(b) In the case of a holder of a category, class or type rating for weight shift controlled microlight aeroplanes, a minimum of 10 hours dual must be flown on type and 5 solo take-offs and landings must be conducted on type.”

Amendment of heading to Subpart 5 of Part 62 of the Regulations

10. The heading to Subpart 5 of Part 62 is herewith amended by the substitution for the said heading of the following heading:

“REQUIREMENTS FOR THE ISSUE OF A CATEGORY, CLASS OR TYPE RATING BY NAME FOR WEIGHT-SHIFT CONTROLLED MICROLIGHT AEROPLANES”.

Amendment of regulation 62.05.2 of Part 62 of the Regulations

11. Regulation 62.05.2 is herewith amended by the substitution for sub-regulation (2) of the following sub-regulation:

“(2) (a) Notwithstanding the provisions of sub-regulation (1), in the case of an applicant who is the holder of a category, class rating or type rating by name for conventionally controlled microlight aeroplanes or light sport aeroplanes, the hour requirements and the cross-country requirements may be relaxed at the discretion of the flight instructor who conducts the skills test referred to in regulation 62.05.5;

(b) The dual instruction hour requirement may also be reduced in the case of an

applicant with extensive experience of hang-gliding;
Provided that in both instances mentioned in paragraphs (a) and (b), a minimum of 10 hours dual must be flown on type and 5 solo take-offs and landings must be conducted on type.”

Amendment of regulation 62.09.2 of Part 62 of the Regulations

12. Regulation 62.09.2 is herewith amended by –

(a) the substitution in paragraph (a) for sub-paragraph (i) of the following sub-paragraph:

“(i) for a Grade C recreational flight instructor rating a minimum of **200** hours of flight time is required of which at least **100 hours as pilot in command** shall be on weight-shift controlled microlight aeroplanes, conventionally controlled microlight aeroplanes, or light sport aeroplanes, in the applicable category, and

(aa) in the case of weight shift controlled microlight aeroplanes at least 10 hours of practical instruction patter and 30 hours of class teaching are required; or

(bb) in the case of conventionally controlled microlight aeroplanes at least 10 hours of practical instruction patter and 30 hours of class teaching are required; or

(cc) in the case of light sport aeroplanes at least 15 hours of practical instruction patter and 30 hours of class teaching are required”;

(b) the substitution in paragraph (d) for item (bb) of sub-paragraph (i) of the following item:

“(bb) 15 hours of practical instruction patter and 30 hours of class teaching.”

Amendment to heading of Subpart 16 of Part 62 of the Regulations

13. The heading to Subpart 16 of Part 62 is herewith amended by the substitution for the said heading of the following heading:

“REQUIREMENTS FOR THE ISSUE OF A CATEGORY, CLASS OR TYPE RATING BY NAME FOR LIGHT SPORT AEROPLANES”.

14. Short title and commencement

This Amendment shall be called the Thirty-Fifth Amendment of the Civil Aviation Regulations, 1997, and shall come into operation on 20 February 2009.

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