



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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CONTENTS

GENERAL NOTICES

Page

No. 152	Proposed Civil Aviation Technical Standards: NAM-CATS-FCL 61 "Designation of Examiners"	2
No. 153	Proposed Amendments of the Namibian Civil Aviation Technical Standards, 2003: NAM-CATS-OPS 135 "Air Transport Operations - Small Aeroplanes"	18
No. 154	Proposed Amendments of the Namibian Civil Aviation Technical Standards, 2003: NAM-CATS-AH "Aerodromes and Heliports"	21
No. 155	Proposed Amendments of the Namibian Civil Aviation Technical Standards, 2003: NAM-CATS-OPS 121 "Air Transport Operations - Large Aeroplanes"	23
No. 156	Proposed Amendments of the Namibian Civil Aviation Technical Standards, 2003: NAM-CATS-OPS 127 "Air Transport Operations-Helicopters"	26
No. 157	Proposed Civil Aviation Technical Standards: NAM-CATS-FCL 63 "Proficiency in Languages used for Radiotelephony Communications"	29
No. 158	Proposed Civil Aviation Technical Standards: NAM-CATS-FCL 65 "Proficiency in Languages used for Radiotelephony Communications"	32
No. 159	Proposed Civil Aviation Technical Standards: NAM-CATS-FCL 61 "Proficiency in Languages used for Radiotelephony Communications"	35
No. 160	Proposed Amendments of the Namibian Civil Aviation Technical Standards, 2003: NAM-CATS-AR "Certification Procedures for Products and Parts and Aircraft Airworthiness"	37

General Notices

MINISTRY OF WORKS AND TRANSPORT

No. 152

2008

PROPOSED CIVIL AVIATION TECHNICAL STANDARDS NAM-CATS-FCL 61 "DESIGNATION OF EXAMINERS"

Pursuant to regulation 11.03.2 of the Namibian Civil Aviation Regulations, 2001 the chairperson of the Civil Aviation Regulations Committee hereby notifies that the Director: Civil Aviation intends, under section 22A of the Aviation Act 1962 (Act No. 74 of 1962), to issue the technical standards NAM-CATS-FCL 61 "Designation of Examiners" set out in the Schedule.

The Committee hereby invites interested parties to comment on the proposed technical standards within 30 days commencing from the date of publication of this notice. The Committee will consider the comments and any representations received at the end of the stated period after which it will make recommendations to the Director who will in turn if satisfied, with the recommendations, issue the technical standards in terms of regulation 11.03.5.

Comments or representations should be lodged in writing and should reach the Ministry no later than 30 days from the publication of this notice and should be addressed to:

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Windhoek
Namibia

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NAMIBIAN CIVIL AVIATION TECHNICAL STANDARDS RELATING TO AIR TRANSPORT OPERATIONS: DESIGNATION OF EXAMINERS

1. GENERAL

Section 22A of the Aviation Act, 1962 (as amended by section 5 of the Aviation Amendment Act, 1998) empowers the Director: Civil Aviation to issue technical standards for civil aviation on the matters which are prescribed by regulation.

The Director: Civil Aviation has pursuant to the empowerment provision mentioned above, on (date) issued technical standards relating to designation of examiners to be known as Document NAM-CATS-FCL 61.

2. PURPOSE

Document NAM-CATS-FCL 61 contains the standards, rules, requirements, methods, specifications, characteristics and procedures which are applicable in respect of designation of examiners.

Each reference to a technical standard in this document, is a reference to the corresponding regulation in the Namibian Civil Aviation Regulations, 2001, for example, technical standard 61.01.26 refers to regulation 26 of Subpart 1 of Part 61 of the Regulations.

The abbreviation "CAR" is used throughout this document when referring to any regulation.

The abbreviation "TS" refers to any technical standard.

3. SCHEDULES AND NOTES

Guidelines and recommendations in support of any particular technical standard, are contained in schedules to, and/or notes inserted throughout the technical standards.

LIST OF TECHNICAL STANDARDS

61.01.26 DESIGNATED EXAMINERS

1. General requirements and qualifications
2. Circumstances where no designated examiner is available
3. Application for designation
4. Determination of application
5. Designation reference number
6. Stamp
7. Duties of designated examiner
8. Period of validity
9. Renewal
10. Variation, suspension or cancellation of designated examiner letter of appointment
11. Crew member status of designated examiner
12. Special circumstances
13. Monitoring of system
14. Procedure for applications under Part 61
15. Conduct of test by examiner
16. Code of Ethics for Designated Examiners

ANNEXURES

- | | |
|-------------|--|
| ANNEXURE A: | DESIGNATED EXAMINERS QUALIFICATION REQUIREMENTS |
| ANNEXURE B: | APPLICATION FOR APPOINTMENT/RENEWAL AS DESIGNATED EXAMINER |
| ANNEXURE C: | LETTER OF APPOINTMENT AS DESIGNATED EXAMINER |
| ANNEXURE D: | THREE MONTHLY REPORT OF DESIGNATED EXAMINER |
| ANNEXURE E: | FLIGHT TEST FORMS |
| ANNEXURE F: | DESIGNATED EXAMINER TRAINING PROGRAMME |
| ANNEXURE G: | DCA PRE-APPOINTMENT BRIEFING FOR DESIGNATED EXAMINERS |

61.01.26 DESIGNATED EXAMINERS**1. General requirements and qualifications.**

- (1) Subject to paragraph 2, a person may only be designated by the Director as an examiner pursuant to CAR 61.01.26 if that person meets the conditions, requirements and standards set out in Annexure A.
- (2) In addition to meeting the conditions, requirements and standards referred to in item (1) the person shall -
 - (a) be in good standing with the Director;
 - (b) The candidate must be of character and standing acceptable to the aviation industry he serves.
 - (c) The candidate must have attended an approved Designated Examiner course specified in Annexure F which shall include a practical phase in a simulator with an approved scripted text.
 - (d) Undergo a briefing with a suitably qualified Aviation Inspector or Designated Examiner specially nominated by the Director for that purpose, to test his knowledge of the testing principles.
 - (e) Undergo a monitored test flight with a suitably qualified Aviation Inspectors or Designated Examiner specifically nominated by the Director for that purpose.
 - (g) The application shall include a resume stating the following:
 - 1) The candidates background, qualifications and experience including previous flight testing experience.
 - 2) Declaration of details of any interest in a Flying School or Operator which could constitute a conflict of interest.
- (3) The application shall be heard by a four-person panel composed as follows:
 - The head of Flight Safety within the Directorate of Civil Aviation
 - An Aviation Inspector of the Directorate of Civil Aviation, or in his absence, a Designated Examiner specially appointed for the purpose by the Director;
 - A Designated Examiner
 - One member of good standing in the Namibian Aviation Industry

The function of the above-mentioned panel is to:

 - (a) review the candidate's credentials and to decide upon the professional suitability of the candidate, where "professional suitability" is defined as "a demonstrated willingness to work cooperatively with the Namibian DCA and to uphold the principles of aviation safety".

- (b) to provide the applicant with a pre-appointment briefing. The structure and content of the pre-appointment briefing given to an Examiner who is being appointed for the first time is specified in urgent edition of the Transport Canada Approved Check Pilot Manual.
- (4) A person designated as an examiner in terms of these standards is entitled to conduct the skills and proficiency tests for the issue of ratings and certificates and to issue reports, as specified in Annexure A.

2. Circumstances where no designated examiner is available

- (1) Where no qualified examiner is available, the Director may, through the issue of a letter of authorisation, appoint a suitable pilot to act in the capacity of designated examiner for a specific purpose.
- (2) The applicant seeking the authorisation referred to in item (1) shall demonstrate his or her proficiency to conduct such tests to the Director prior to the authorisation being granted.
- (3) The authorisation referred to in item (1) shall be granted for a specified period of time and purpose only.

3. Application for designation

An application for appointment or for renewal of appointment as a designated examiner shall be made on the appropriate part of Annexure B and be submitted to the Director.

4. Determination of application

On receipt of an application made in terms of paragraph 1 the Director shall consider the application and may -

- (a) grant the application with or without conditions and issue to the applicant the document referred to in CAR 61.01.26(3) in the form Annexure D; or
- (b) reject the application and notify applicant in writing of the rejection and the reasons thereof.

5. Designation reference number

A designation number shall be allocated to an examiner. This number together with other relevant information as indicated on the document referred to in CAR 61.01.26(3) must be reflected on all the relevant documents signed by the examiner.

6. Stamp

An examiner must, on receiving the document referred to in paragraph 4, have a stamp made that reflects the following information:

- (a) Name of examiner
- (b) License number

- (c) Designation number

7. Duties of designated examiners

Designated examiners are required to:

- (a) ensure that the original form for each test conducted, whether such test was successful or not, is submitted to the Director;
- (b) keep a record of each test carried out with suitable notes explaining the outcome of the test;
- (c) submit a three monthly report of tests conducted on the appropriate form as prescribed in Annexure D;
- (d) have access to current Civil Aviation Regulations, Technical Standards, AIP, AIC, applicable NOTAMs; current Federal Aviation Administration Practical Flight Test Standards of the United States of America; current Joint Aviation Requirements (JAR) Flight Examiners Manual (FEM) of the European Union; and current Transport Canada (TC) Approved Check Pilot (ACP) Manual.
- (e) administer all flight tests using the designated examiner guidelines published by the Director as technical standards.
- (f) sign and stamp all forms, clearly indicating his or her reference number and the date of the test; and
- (g) sign the appropriate sections of the tested pilot's license and logbook where and when required, indicating the date, nature and outcome of the test.
- (h) shall comply with Code of Ethics for Designated Examiners.

8. Period of Validity

- (1) An appointment as a designated examiner shall be for a period not exceeding 12 months, or for the validity period of the applicant's instructor rating, which ever period is the lesser.
- (2) The Director may, when required in terms of paragraph 2, appoint a suitable pilot as a designated examiner for a specific period only, in order to accomplish a specific task.

9. Renewal

- (1) In order to renew the designated examiner certificate, the applicant shall within the previous 12 months-
 - (a) Undergo a monitored test flight with a suitably qualified Aviation Inspector or Designated Examiner specifically nominated by the Director for that purpose.
 - (b) Have conducted at least 3 tests specified in Annexure A.
 - (c) Have attended at least two Quarterly Review Meetings

- (2) The applicant shall submit an application for renewal of his or her designated examiner authorization within 60 days preceding the date of expiry.
- (3) The application for renewal of appointment as a designated examiner shall be made on the appropriate form of Annexure B and be submitted to the Director.
- (4) The requirements for application for appointment as a designated examiner referred to in paragraph 1 shall, subject to necessary changes required by context, apply to an application for renewal of certificate as a designated examiner under this paragraph.

10. Variation, suspension or cancellation of designated examiner certificate

- (1) The variation, suspension or cancellation of a designated examiner certificate shall be done in accordance with CAR 61.01.20.
- (2) The provisions of CAR 61.01.20 in respect of the procedures to be followed, and actions to be taken in the case of suspension and appeal shall, subject to necessary changes required by context, apply to suspension and appeal under this paragraph.

11. Crew member status of the designated examiner

- (1) Except as specified item (2), the designated examiner shall not act as pilot in command during a flight test. The designated examiner may act as a crew member in a multi-crew aircraft, provided that he or she holds the appropriate category, class and type or group type rating.
- (2) A designated examiner shall, by prior agreement and confirmed in writing, act as pilot-in command of an aircraft during a flight test under the following circumstances:
 - (a) the flight test is for the initial issue of an instrument rating;
 - (b) the flight test is for an aircraft type rating and conducted from a pilot seat; or
 - (c) the designated examiner considers this to be necessary in the interest of safety.
 - (d) Initial PPL Flight Test.

12. Special circumstances

Where the holder of a designated examiner authorization is exercising the privileges of that authorization as an observer in flight or in a simulator and not as a required crewmember, the holder is not required to hold a valid medical certificate.

13. Monitoring of the system

- (1) Each DE shall undergo a monitored flight check as described in 9(1)(a) above. The Aviation Inspector or specially appointed DE conducting the monitored test shall compile a Monitored Test Report.

- (2) Where a DE fails to meet the required acceptable assessment his or her DE Status shall be deemed to have lapsed until a satisfactory assessment is achieved.
- (3) The head of Flight Safety within the Directorate of Civil Aviation shall hold a Quarterly Review Meeting with all Designated Examiners once every three months to assess and to report to the Director on the effectiveness of the "DE System" and trends in the quality of flight training and flight testing of Namibian pilots.

14. Procedure for applications under Part 61

- (1) An application for the issue of pilot licences or the validation or conversion of licences or the issue of ratings or certificates specified in the CAR Part 61 shall be submitted to the Director for determination in terms of paragraph 15.
- (2) An application made under item (1) shall be accompanied by the application fee set out in Part 187.
- (3) The fee payable for the appropriate skill test shall not be greater than that agreed from time to time by a recognized association of Designated Examiners.

15. Conduct of test by examiner

- (1) The current edition of the Transport Canada Approved Check Pilot Manual is incorporated into the technical standards contained in this document.
- (2) On the specified date the designated examiner shall carry out the examination having due regard to his or her duties as specified in TS 61.01,26 (7) and if satisfied that the applicant has demonstrated sufficient skill or competency for the relevant test the designated examiner shall so indicate in a written report to the Director.
- (3) Before carrying out the relevant test the examiner must ensure that the applicant has passed the relevant theoretical knowledge.
- (4) On receipt of a report by the designated examiner in terms of item (1) the Director shall, if satisfied of the propriety of the test, issue the appropriate licence, rating or certificate to the applicant.
- (5) All flight tests shall be conducted in accordance with the current edition of Transport Canada Approved Check Pilot Manual.
- (6) In the interest of maintaining high standards of flight testing no Designated Examiner shall conduct two consecutive tests on one candidate except with the prior written approval of the Director.
- (7) The test standards to be used during a skill or proficiency test shall be those specified in the current edition of the Transport Canada Approved Check Pilot Manual.
- (8) The test tolerances to be used during all skill or proficiency tests shall be those specified in the current edition of the Transport Canada Approved Check Pilot Manual.

- (9) The grading of all skill or proficiency tests shall comply with the 4-point grading scale specified in the current edition of the Transport Canada Approved Check Pilot Manual.
- (10) Prior to a skill or proficiency test the Designated Examiner shall conduct a pre-flight briefing as specified in the current edition of the Transport Canada Approved Check Pilot Manual.
- (11) Immediately after the termination of a flight whether successful or not, the Designated Examiner shall conduct a post-flight debriefing as specified in the current edition of the Transport Canada Approved Check Pilot Manual.
- (12) Procedures to be followed when a candidate fails a Skill Test
 - (a) If a candidate fails a skill or proficiency test, the Designated Examiner shall notify the failed items and recommendations to the Chief Pilot and/or Operations Manager of the candidate's employer or to the Chief Flight Instructor of the relevant Flight Training School.
 - (b) The Designated Examiner shall immediately notify the Director: Civil Aviation that the pilot has not met the required proficiency standard for the licence or rating. This notification shall consist of a copy of the failed test report as well as detailed written comments on the failed items.
 - (c) If a pilot has failed on Instrument rating and the Rating is still valid on the pilot's licence, the Designated Examiner shall draw a line through the instrument rating endorsements and inscribe the following "*instruments Rating Suspended*". He shall sign and date this inscription on the licence.
 - (d) The Designated Examiner shall ensure that the pilot receives a copy of the report which has been forwarded to the Director: Civil Aviation.

ANNEXURE A

EXPLANATORY NOTES

This Annexure consists of two Tables with the following details:

- 1. Table 1 is an index to Table 2 and consists of four columns containing the information as detailed below:
 - (a) The first column titled "Code" read downwards contains the abbreviated forms of the various types of flight tests which can be performed by designated examiners;
 - (b) The second column titled "Flight Test" read downwards contains the full description of the flight tests corresponding to the abbreviated form of the test in the first column;
 - (c) The third column titled "NAMCARS" read downwards refers to the respective regulations under which the various tests contained in the corresponding first and second columns can be undertaken; and

- (d) The fourth column titled "Aircraft Type" read downwards contains the various types of aircraft which can be flown during the corresponding flight test contained in the first and second columns.

TABLE 1
INDEX

Designated Examiner Flight Test Codes

Code	Flight Test	NAMCARS
FE PPL	Flight Examiner for PPL Skill Test	61.03.5
FE CPL	Flight Examiner for CPL Skill Test	61.05.5
CPL VAL	Flight Examiner for CPL Validation Skill Test	61.16.4
TRE SEP PPL	Type Rating Examiner-Single-Engine Piston-CPL Skill Test	61.16.4
TRE SEP CPL	Type Rating Examiner-Single-Engine Piston-CPL Skill Test	61.16.4
TRE MEP	Type Rating Examiner-Multi-Engine Piston Aircraft Skill Test	61.16.4
TRE SET	Type Rating Examiner-Single-Engine-Turbine Skill Test	61.16.4
TRE MET	Type Rating Examiner-Multi-Engine Turbine Aircraft Skill Test	61.16.4
FE ATPL	Flight Examiner ATPL Issue Skill Test	61.07.5
TRE MPA	Type Rating Examiner-Multi-Crew Certified Aircraft Skill Test	61.16.4
IR SE	Instrument Rating Single Engine Aircraft-Skill Test	61.17.5, 61.17.1
IR ME	Instrument Rating Multi engine Aircraft-Skill Test	61.17.5, 61.17.1
IR SE OPC	Instrument Rating single Engine Aircraft-Operator Proficiency Check	61.17.11
IR ME OPC	Instrument Rating Multi engine Aircraft - Operator Proficiency Check	61.17.11
NIGHT	Night Rating	61.31.14
FIE	Flight Instructor Examiner Skill Test	61.18.5, 61.195.61.20.4
TRE SE OPC (VFR)	Type Rating Examiner-Single-Engine Piston-Operator Proficiency Check	135.03.7
TRE MEP OPC (VFR)	Type Rating Examiner-Multi-Engine Piston-Operator Proficiency Check	121.03.6, 135.03
TRE SET OPC	Type Rating Examiner-Single-Engine Turbine-Operator Proficiency Check	121.03.6, 135.03.7
TRE MET OPC	Type Rating Examiner-Multi-Engine Turbine-Operator Proficiency Check	121.03.6, 135.03
TRE MPA OPC	Type Rating Examiner-Multi-Crew Certified Aircraft - OPC	121.03.6, 135.03.7

2. Table 2 consists of 21 numbered columns containing the information as detailed below:

- (a) Column 1 read downwards contains the requirements to be met, namely minimum qualifications, experience, ratings, special requirements, before an examiner can be allowed to carry out each of the respective types of flight tests listed in columns 2 to 21 read across.

- (b) Columns 1 to 20 read downwards each contains the different types of the basic qualification, experience, ratings, special requirements required by an examiner before he or she could conduct the type of test indicated at the top of each of the columns.

For example for an examiner to be entitled to examine an applicant for a FE PPL (Flight Examiner for PPL Skill Test) under column 2 read downwards the examiner must satisfy the following requirements:

- (i) hold a basic CPL licence
- (ii) have total flying experience of 100 hours;
- (iii) have 250 hours instructional experience;
- (iv) must have Grade I or II instructor rating;
- (v) does not need any multi-engine experience or instruction or turbine experience or instruction,
- (v) needs a PIC Qualification on the type of aircraft flown;
- (vi) does not need to meet any special requirements;
- (vii) does not need any instrument flying experience or instrument instruction experience; and
- iii) must be a person of integrity.

od should be used to determine the requirements to be met by an examiner before he or she can carry out a examination in respect of each of the flight tests list in the columnis 2 to 21 read across Table 2.

TABLE 2

DIRECTORATE OF CIVIL AVIATION - DESIGNATED EXAMINER QUALIFICATION REQUIREMENTS

[illegible]

TABLE 2(cont'd)
DESIGNATED EXAMINER FLIGHT TEST CODES

[illegible]

Designated Examiner Flight Test Codes

Code	Flight Test	NAMCARS	Aircraft Types
FE PPL	Flight Examiner for PPL Skill Test	61.03.5	
FE CPL	Flight Examiner for CPL Skill Test	61.05.5	
CPL VAL	Flight Examiner for CPL Validation Skill Test	61.16.4	
TRE SEP PPL	Type Rating Examiner Single Engine Piston PPL Skill Test	61.16.4	C210, C206, C182, C172, PA28-235,
TRE SEP CPL	Type Rating Examiner Single Engine Piston CPL Skill Test	61.16.4	C210, C206, C182, C172, PA28-235,
TRE MEP	Type Rating Examiner Multi Engine Piston Aircraft Skill Test	61.16.4	C310, C401, C404, C402, PA32-300, PA31-350, BE 58
TRE SET	Type Rating Examiner Single Engine Turbine Skill Test	61.16.4	C208, C206, SOLOY, C207, PC12
TRE MET	Type Rating Examiner Multi Engine Turbine Aircraft Skill Test	61.16.4	C406, BE90, B190, PA31T, AC690
FE ATPL	Flight Examiner ATPL Issue Skill Test	61.07.5	
TRE MPA	Type Rating Examiner Multi-Crew Certified Aircraft Skill Test	61.16.4	L31, F900, B737, A340, C500/560
IR SE	Instrument Rating Single Engine Aircraft Skill Test	61.17.5, 61.17.12	
IR ME	Instrument Rating Multi Engine Aircraft Skill Test	61.17.5, 61.17.12	
IR SE OPC	Instrument Rating Single Engine Aircraft Operator Proficiency Check	61.17.11	
IR ME OPC	Instrument Rating Multi Engine Aircraft Operator Proficiency Check	61.17.11	
NIGHT	Night Rating	61.31.4	
FIE	Flight Instructor Examiner Skill Test	61.18.5, 61.19.5, 61.20.4	
TRE SE OPC (VFR)	Type Rating Examiner Single Engine Piston Operator Proficiency Check	61.16.11, 135.03.7	C210, C206, C182, C172, PA28-235, C208, SOLOY
TRE MEP OPC (VFR)	Type Rating Examiner Multi Engine Piston Operator Proficiency Check	61.16.11, 121.03.6, 135.03.7	C310, C401, C404, C402, PA32-300, PA31-350, BE 58
TRE SET OPC	Type Rating Examiner Single Engine Turbine Operator Proficiency Check	121.03.6, 135.03.7	C208, C206, SOLOY, C207, PC12
TRE MET OPC	Type Rating Examiner Multi Engine Turbine Operator Proficiency Check	121.03.6, 135.03.7	C208, C206, SOLOY, C207, PC12
TRE MPA OPC	Type Rating Examiner Multi-Crew Certified Aircraft OPC	121.03.6, 135.03.7	L31, F900, B737, A340, C500/560

ANNEXURE B
MINISTRY OF WORKS TRANSPORT AND
COMMUNICATION

DIRECTORATE: CIVIL AVIATION

APPLICATION FOR APPOINTMENT AS A DESIGNATER EXIMINER
(TS 61.01.26(3))

SECTION A - PERSONAL DETAILS

Family Name	Given Names	Title	Date of Birth / /	
Residential Address		Postcode	State	
Postal Address (if Different)		Postcode	State	
Telephone No. Work	Home	Mobile	Fax	Licence Number
Place of Medical Examination	Date of Examination / /	Expiry Date of Medical / /		

SECTION B: QUALIFICATIONS AND EXPERIENCE

Basic License:		
Instructor Qualification:		
1	Grand Total Flying Experience	
2	Total Flying Experience - Single-Engine Aircraft - Piston	
3	Total Flying Experience - Single-Engine Aircraft - Turbine	
4	Total Flying Experience - Multi Engine Aircraft - Piston	
5	Total Flying Experience - Multi Engine Aircraft - Turbine	
6	Total Flying Experience - Instrument flying	
7	Total Flying Experience - Turbine Aircraft	
8	Total Instruction Time	
9	Total Instruction Time - Single-Engine Aircraft - Piston	
10	Total Instruction Time - Single-Engine Aircraft - Turbine	
11	Total Instruction Time - Multi-Engine Aircraft - Piston	
12	Total Instruction Time - Multi-Engine Aircraft - Turbine	
13	Total Instruction Time - Instrument flying	
14	Total Instruction Time - Turbine Aircraft	
15	Number of Flight Tests carried out to date	
16	Total Experience on Multi-Crew Aircraft	
17	Total Instruction Time - Instructor Rating Candidates	

Signed:
 (Applicant)

Approved: Director: Civil Aviation

Date:

ANNEXURE C**LETTER OF APPOINTMENT AS DESIGNATED EXAMINER****REPUBLIC OF NAMIBIA****MINISTRY OF WORKS AND TRANSPORT****DIRECTORATE OF CIVIL AVIATION**

Enquiries:

Date:

.....

.....

.....

LETTER OF APPOINTMENT AS DESIGNATED EXAMINER

The Director would like to congratulate you on receipt of this letter of Appointment as Designated Examiner (DE). In addition, the Designated Examiner position is one the aviation industry values, most particularly because of the inherent recognition of your integrity, and as an important part of the system of aviation safety. Your appointment as a DE is recognition of the important role you will be expected to play in providing part of the flying training industry safety net. The Flight test codes for which you can conduct tests are listed hereunder:

.....

.....

.....

The Director takes this opportunity to stress your independence as a DE (even where your appointment is linked to an employer), and relies on your integrity to withstand the sometimes subtle pressures from employers and/or students. This understanding is reinforced by the signed code of ethics document returned with your letter of appointment.

This appointment is valid from to, unless earlier suspended or revoked by the Director: Civil Aviation

Once again, congratulations.

Yours sincerely

DIRECTOR: CIVIL AVIATION

ANNEXURE D

MINISTRY OF WORKS AND TRANSPORT

DIRECTORATE: CIVIL: AVIATION

THREE MONTHLY REPORT OF DESIGNATED EXAMINER
(TS 61.01.26(7) (d))

FROM: Designation ref. No:

[illegible]

Report period

Jan - Mar

7

Apr - Jun

--	--

July - Sep

7

Oct - Dec

7

Note: 1 copy to DCA retain 1 copy for Examiner record

Certified correct

Date

DESIGNATED EXAMINER' STAMP

MINISTRY OF WORKS AND TRANSPORT

No. 153

2008

**PROPOSED AMENDMENTS OF THE NAMIBIAN CIVIL AVIATION
TECHNICAL STANDARDS, 2003: NAM-CATS-OPS 135 "AIR TRANSPORT
OPERATIONS - SMALL AEROPLANES"**

Pursuant to regulation 11.03.2 of the Namibian Civil Aviation Regulations, 2001 the chairperson of the Civil Aviation Regulations Committee hereby notifies that the Director: Civil Aviation intends, under section 22A of the Aviation Act 1962 (Act No. 74 of 1962), to amend the technical standards issued in Document NAM-CATS-OPS 135, 2003 to the extend set out in the Schedule.

The Committee hereby invites interested parties to comment on the proposed amendments to the technical standards within 30 days commencing from the date of publication of this notice. The Committee will consider the comments and any representations received at the end of the stated period after which it will make recommendations to the Director who will in turn if satisfied, with the recommendations, issue the amendments to the technical standards in terms of regulation 11.03.5.

Comments or representations should be lodged in writing and should reach the Ministry no later than 30 days from the publication of this notice and should be addressed to:

Comments or representations should be lodged in writing and should reach the Ministry not later than 30 days from the publication of this notice and should be addressed to:

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SCHEDULE**AMENDMENT OF THE NAMIBIAN CIVIL AVIATION TECHNICAL
STANDARDS RELATING TO AIR TRANSPORT OPERATIONS - SMALL
AEROPLANES****1. GENERAL**

Regulation 11.03.5 of the Namibian Civil Aviation Regulations, 2001 empowers the Director: Civil Aviation to issue or amend technical standards for civil aviation on the matters which are prescribed by regulation.

The Director: Civil Aviation pursuant to the empowerment provision mentioned above, proposes on (date) to amend the technical standards relating to air transport contained in Document NAM-CATS-OPS 135.

2. PURPOSE

Document NAM-CATS-OPS 135 contains the standards, rules, requirements, methods, specifications, characteristics and procedures which are applicable in respect of matters contained in Part 135 of the Namibian Civil Aviation Regulations, 2001. The purpose

of this amendment is to incorporate into and give effect to Chap 6, 6.3 of Annex 6 of the Convention dealing with flight recorders into Namibian Technical Standards on Civil Aviation and to make other changes occasioned by amendments to Annexes to the Convention.

Each reference to a technical standard in this document, is a reference to the corresponding regulation in the Namibian Civil Aviation Regulations, 2001, for example, technical standard 61.01.26 refers to regulation 26 of Subpart 1 of Part 61 of the Regulations.

The abbreviation "CAR" is used throughout this document when referring to any regulation.

The abbreviation "TS" refers to any technical standard.

3. SCHEDULES AND NOTES

Guidelines and recommendation in support of any particular technical standard, are contained in schedules to, and/or notes inserted throughout the technical standards.

Definition

1. In these technical standards "the principal technical standards" means the Namibian Civil Aviation Technical Standards: NAM-CATS-OPS 135 "Air Transport Operations - Small Aeroplanes" issued under Government Notice No. 3047 of 25 August 2003.

Insertion of TS 135.01.16A into the principal technical standards

2. The following technical standard is inserted after TS 135.01.15 of the principal technical standards:

"135.01.16A SAFETY MANAGEMENT SYSTEM

1. Establishment of a safety management system

The operator shall prepare the safety management system in accordance with the guidelines contained in the current version of the ICAO Safety Management Manual, Document 9859-AN/460 and in the current version of the ICAO Preparation of an Operations Manual, Document 9376-AN924.

Amendment of TS 135.04.3 of the principal technical standards

3. TS 135 04.3 of the principal technical standards is amended by the insertion after item 2.2.13 of the following item:

"2.2.14 Flight data recorder

The operations manual shall include -

- (a) up-to-date and sufficient documentation concerning flight data recorder parameter allocation, conversion equation, periodic calibration and other serviceability or maintenance information for the aeroplane type as prescribed in TS 135.05.12 and the documentation must be sufficient to ensure that accident investigation authorities have the necessary information to read out the data in engineering units.

2. PURPOSE

Document NAM-CATS-AH contains the standards, rules, requirements, methods, specifications, characteristics and procedures which are applicable in respect of matters contained in Part 139 of the Namibian Civil Aviation Regulations, 2001. The purpose of this amendment is to make provision for the incorporation of the current versions of the ICAO Annexes and to deal with other matters pertaining to aerodromes and heliports.

Each reference to a technical standard in this document, is a reference to the corresponding regulation in the Namibian Civil Aviation Regulations, 2001, for example, technical standard 61.01.26 refers to regulation 26 of Subpart 1 of Part 61 of the Regulations.

The abbreviation "CAR" is used throughout this document when referring to any regulation.

The abbreviation "TS" refers to any technical standard.

3. SCHEDULES AND NOTES

Guidelines and recommendation in support of any particular technical standard, are contained in schedules to, and/or notes inserted throughout the technical standards.

Definition

1. In these technical standards "the principal technical standards" means the Namibian Civil Aviation Technical Standards: NAM-CATS-AH "Licensing and Operation of Aerodromes and Heliports" issued under Government Notice No. 58 of 28 March 2003.

Amendment of the introductory part to the principal technical standards

1. The introductory part to the principal technical standards is amended in paragraph 4 by the substitution for the second subparagraph of the following subparagraph:

"The current edition of the international aviation standard known as Annex 14, Volume I (Aerodrome design and operations) the Convention on International Civil Aviation, is incorporated into the technical standards contained in this document."

Insertion of TS 139.02.6 into the principal technical standards

2. The following technical standard is inserted after TS 139.02.4 of the principal technical standards:

"139.02.6 ESTABLISHMENT OF AERODROME EMERGENCY MANAGEMENT SYSTEM

1. Establishment of aerodrome emergency system

When establishing the aerodrome emergency system the applicant shall use the guidance material contained in the current version of the ICAO Human Factors Training Manual, Document 9683-AN950."

Insertion of TS 139.02.8A into the principal technical standards

3. The following technical standard is inserted after TS 139.02.7 of the principal technical standards:

“139.02.8A SAFETY MANAGEMENT SYSTEM**1. Establishment of a safety management system**

The applicant shall prepare the safety management system in accordance with the guidelines contained in the current version of the ICAO Safety Management Manua, Document 9859-AN/460, the current version of the ICAO Manual on Certification of Aerodromes, Document 9774-AN969 and in the current version of the ICAO Preparation of an Operations Manual, Document 9376-AN924.”.

Insertion of TS 139.03.6 into the principal technical standards

4. The following technical standard is inserted after TS 139.02.4 of the principal technical standards:

“139.03.6 ESTABLISHMENT OF AERODROME EMERGENCY MANAGEMENT SYSTEM**1. Establishment of heliport emergency system**

When establishing the aerodrome emergency system the applicant shall use the guidance material contained in the current version of the ICAO Human Factors Training Manual, Document 9683-AN950.”.

Insertion of TS 139.03.8A into the principal technical standards

5. The following technical standard is inserted after TS 139.03.7 of the principal technical standards:

“139.03.8A SAFETY MANAGEMENT SYSTEM**1. Establishment of a safety management system**

The applicant shall prepare the safety management system in accordance with the guidelines contained in the current version of the ICAO Safety Management Manual, Document 9859-AN/460, the current version of the ICAO Manual on Certification of Aerodromes, Document 9774-AN969 and in the current version of the ICAO Preparation of an Operations Manual, Document 9376-AN924.”.

MINISTRY OF WORKS AND TRANSPORT

No. 155

2008

**PROPOSED AMENDMENTS OF THE NAMIBIAN CIVIL AVIATION
TECHINICAL STANDARDS, 2003:****NAM-CATS-OPS 121 “AIR TRANSPORT OPERATIONS - LARGE
AEROPLANES”**

Pursuant to regulation 11.03.2 of the Namibian Civil Aviation Regulations, 2001 the chairperson of the Civil Aviation Regulations Committee hereby notifies that the Director:

Civil Aviation intends, under section 22A of the Aviation Act 1962 (Act No. 74 of 1962), to amend the technical standards issued in Document NAM-CATS-OPS 121, 2003 to the extend set out in the Schedule.

The Committee hereby invites interested parties to comment on the proposed amendments to the technical standards within 30 days commencing from the date of publication of this notice. The Committee will consider the comments and any representations received at the end of the stated period after which it will make recommendations to the Director who will in turn if satisfied, with the recommendations, issue the amendments to the technical standards in terms of regulation 11.03.5.

Comments or representations should be lodged in writing and should reach the Ministry no later than 30 days from the publication of this notice and should be addressed to:

Comments or representations should be lodged in writing and should reach the Ministry no later than 30 days from the publication of this notice and should be addressed to:

Mr. L. Makanza
NO. 4 RUDOLH HERTZOG STREET
WINDHOEK
NAMIBIA

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e-mail Larry.Makanza@Gmail.com

SCHEDULE

AMENDMENT OF THE NAMIBIAN CIVIL AVIATION TECHNICAL STANDARDS RELATING TO AIR TRANSPORT OPERATIONS - LARGE AEROPLANES

1. GENERAL

Regulation 11.03.5 of the Namibian Civil Aviation Regulations, 2001 empowers the Director: Civil Aviation to issue or amend technical standards for civil aviation on the matters which are prescribed by regulation.

The Director: Civil Aviation pursuant to the empowennent provision mentioned above, proposes on (date) to amend the technical standards relating to air transport contained in Document NAM-CATS-OPS 121.

2. PURPOSE

Document NAM-CATS-FCL 121 contains the standards, rules, requirements, methods, specifications, characteristics and procedures which are applicable in respect of matters contained in Part 121 of the Namibian Civil Aviation Regulations, 2001. The purpose of this amendment is to incorporate into and give effect to Chap 6, 6.3 of Annex 6 of the Convention dealing with flight recorders into Namibian Technical Standards on Civil Aviation and to make other changes occasioned by amendments to Annexes to the Convention.

Each reference to a technical standard in this document, is a reference to the corresponding regulation in the Namibian Civil Aviation Regulations, 2001, for example, technical standard 61.01.26 refers to regulation 26 of Subpart 1 of Part 61 of the Regulations.

The abbreviation "CAR" is used throughout this document when referring to any regulation.

The abbreviation "TS" refers to any technical standard.

3. SCHEDULES AND NOTES

Guidelines and recommendation in support of any particular technical standard, are contained in schedules to, and/or notes inserted throughout the technical standards.

Definition

1. In these technical standards "the principal technical standards" means the Namibian Civil Aviation Technical Standards: NAM-CATS-OPS 121 "Air Transport Operations - Large Aeroplanes" issued under Government Notice No. 257 of 22 December 2003.

Insertion of TS 121.01.17A into the principal technical standards

2. The following technical standard is inserted after TS 121.01.15 of the principal technical standards:

"121.01.17A SAFETY MANAGEMENT SYSTEM

1. Establishment of a safety management system

The operator shall prepare the safety management system in accordance with the guidelines contained in the current version of the ICAO Safety Management Manual, Document 9859-AN/460 and in the current version of the ICAO Preparation of an Operations Manual, Document 9376-AN924."

Amendment of TS 121.04.3 of the principal technical standards

3. TS 121 04.3 of the principal technical standards is amended by the insertion after item 2.2.13 of the following item:

"2.2.14 Flight data recorder

The operations manual shall include -

- (a) up-to-date and sufficient documentation concerning flight data recorder parameter allocation, conversion equation, periodic calibration and other serviceability or maintenance information for the aeroplane type as prescribed in TS 121.05.12 and the documentation must be sufficient to ensure that accident investigation authorities have the necessary information to read out the data in engineering units.
- (b) instructions for the preservation of flight recorder records in the event that the aeroplane is involved in an accident or incident and the operator must include procedures for the retention and safe custody of flight recorder records pending their disposition as prescribed under Annex 13 to the Convention."

Insertion of TS 121.08.2 into the principal technical standards

4. The following technical standard is inserted after TS 121.08.1 of the principal technical standards:

“121.08.2 ESTABLISHMENT OF STANDARD OPERATING PROCEDURES**1. Establishment of standard operating procedures**

- (1) The operator shall include, in the operations manual, standard operating procedures and instructions for each phase of the flight.
- (2) When establishing standard operating procedures the operator shall use and include the guidelines contained in the current version of the US Federal Aviation Administration Advisory Circular on Standard Operating Procedures For Flight Deck Crewmembers, AC No: 120-71A which is hereby incorporated into these technical standards.”.

Insertion of TS 121.08.41 into the principal technical standards

5. The following technical standard is inserted after TS 121.08.38 of the principal technical standards:

“121.08.41 ACCIDENT PREVENTION, SAFETY MANAGEMENT PROGRAMMES AND FLIGHT SAFETY DOCUMENTS SYSTEM**1. Establishment of accident prevention and safety management programmes**

The operator shall prepare the accident prevention and safety management programme and the flight data analysis programme in accordance with the guidelines contained in the current version of ICAO Safety Management Manual, Document 9859-AN/460 and in the current version of the ICAO Preparation of an Operations Manual, Document 9376-AN/924.

2. Flight safety documents system

The operator shall prepare the flight safety documents system in accordance with the guidelines contained in the current version of the ICAO Safety Management Manual, Document 9859-AN/460.”.

MINISTRY OF WORKS AND TRANSPORT

No. 156

2008

**PROPOSED AMENDMENTS OF THE NAMIBIAN CIVIL AVIATION
TECHNICAL STANDARDS, 2003:
NAM-CATS-OPS 127 “AIR TRANSPORT OPERATIONS - HELICOPTERS”**

Pursuant to regulation 11.03.2 of the Namibian Civil Aviation Regulations, 2001 the chairperson of the Civil Aviation Regulations Committee hereby notifies that the Director: Civil Aviation intends, under section 22A of the Aviation Act 1962 (Act No. 74 of 1962),

to amend the technical standards issued in Document NAM-CATS-OPS 127, 2003 to the extend set out in the Schedule.

The Committee hereby invites interested parties to comment on the proposed amendments to the technical standards within 30 days commencing from the date of publication of this notice. The Committee will consider the comments and any representations received at the end of the stated period after which it will make recommendations to the Director who will in turn if satisfied, with the recommendations, issue the amendments to the technical standards in terms of regulation 11.03.5.

Comments or representations should be lodged in writing and should reach the Ministry no later than 30 days from the publication of this notice and should be addressed to:

Comments or representations should be lodged in writing and should reach the Ministry no later than 30 days from the publication of this notice and should be addressed to:

MR. L. MAKANZA
NO. 4 RUDOLH HERTZOG STREET
WINDHOEK
NAMIBIA

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e-mail Larry.Makanza@Gmail.com

SCHEDULE

AMENDMENT OF THE NAMIBIAN CIVIL AVIATION TECHNICAL STANDARDS RELATING TO AIR TRANSPORT OPERATIONS - HELICOPTERS

1. GENERAL

Regulation 11.03.5 of the Namibian Civil Aviation Regulations, 2001 empowers the Director: Civil Aviation to issue or amend technical standards for civil aviation on the matters which are prescribed by regulation.

The Director: Civil Aviation pursuant to the empowerment provision mentioned above, proposes on (date) to amend the technical standards relating to air transport contained in Document NAM-CATS-OPS 127.

2. PURPOSE

Document NAM-CATS-OPS 127 contains the standards, rules, requirements, methods, specifications, characteristics and procedures which are applicable in respect of matters contained in Part 127 of the Namibian Civil Aviation Regulations, 2001. The purpose of this amendment is to incorporate into and give effect to Chap 6, 6.3 of Annex 6 of the Convention dealing with flight recorders into Namibian Technical Standards on Civil Aviation and to make other changes occasioned by amendments to Annexes to the Convention.

Each reference to a technical standard in this document, is a reference to the corresponding regulation in the Namibian Civil Aviation Regulations, 2001, for example, technical standard 61.01.26 refers to regulation 26 of Subpart 1 of Part 61 of the Regulations.

The abbreviation "CAR" is used throughout this document when referring to any regulation.

The abbreviation "TS" refers to any technical standard.

3. SCHEDULES AND NOTES

Guidelines and recommendation in support of any particular technical standard, are contained in schedules to, and/or notes inserted throughout the technical standards.

Definition

1. In these technical standards "the principal technical standards" means the Namibian Civil Aviation Technical Standards: NAM-CATS-OPS 127 "Air Transport Operations - Helicopters" issued under Government Notice No. 3180 of 31 March 2004.

Insertion of TS 127.01.17A into the principal technical standards

2. The following technical standard is inserted after TS 127.01.15 of the principal technical standards:

"127.01.17 SAFETY MANAGEMENT SYSTEM

1. Establishment of a safety management system

The operator shall prepare the safety management system in accordance with the guidelines contained in the current version of the ICAO Safety Management Manual, Document 9859-AN/460 and in the current version of the ICAO Preparation of an Operations Manual, Document 9376-AN924."

Amendment of TS 127.04.3 of the principal technical standards

3. TS 127.04.3 of the principal technical standards is amended by the insertion after item 2.2.8 of the following item:

"2.2.9 Flight data recorder

The operations manual shall include -

- (a) up-to-date and sufficient documentation concerning flight data recorder parameter allocation, conversion equation, periodic calibration and other serviceability or maintenance information for the helicopter type as prescribed in TS 127.05.13 and the documentation must be sufficient to ensure that accident investigation authorities have the necessary information to read out the data in engineering units.
- (b) instructions for the preservation of flight recorder records in the event that the helicopter is involved in an accident or incident and the operator must include procedures for the retention and safe custody of flight recorder records pending their disposition as prescribed under Annex 13 to the Convention."

Insertion of TS 127.08.2 into the principal technical standards

4. The following technical standard is inserted after TS 127.07.7 of the principal technical standards:

“127.08.2 ESTABLISHMENT OF STANDARD OPERATING PROCEDURES

1. Establishment of standard operating procedures

- (1) The operator shall include, in the operations manual, standard operating procedures and instructions for each phase of the flight.
- (2) When establishing standard operating procedures the operator shall use and include the guidelines contained in the current version of the US Federal Aviation Administration Advisory: Circular on Standard Operating Procedures For Flight Deck Crewmembers, AC No: 120-71 A which is hereby incorporated into these technical standards.”.

Insertion of TS 127.08.37A into the principal technical standards

5. The following technical standard is inserted after TS 127.08.35 of the principal technical standards:

“127.08.37A ACCIDENT PREVENTION, SAFETY MANAGEMENT PROGRAMMES AND FLIGHT SAFETY DOCUMENTS SYSTEM

1. Establishment of accident prevention and safety management programmes

The operator shall prepare the accident prevention and safety management programme and the flight data analysis programme in accordance with the guidelines contained in the current version of the ISAO Safety Management Manual, Document 9859-AN/460 and in the current version of the ICAO Preparation of an Operations Manual, Document 9376AN924.

2. Flight safety documents system

The operator shall prepare the flight safety documents system in accordance with the guidelines contained in the current version of the ICAO Safety Management Manual, Document 9859-AN/460.”.

MINISTRY OF WORKS AND TRANSPORT

No. 157

2008

**PROPOSED CIVIL AVIATION TECHNICAL STANDARDS:
NAM-CATS-FCL 63 “PROFICIENCY IN LANGUAGES USED FOR
RADIOTELEPHONY COMMUNICATIONS”**

Pursuant to regulation 1.03.2 of the Namibian Civil Aviation Regulations, 2001 the chairperson of the Civil Aviation Regulations Committee hereby notifies that the Director: Civil Aviation intends, under section 22A of the Aviation Act 1962 (Act No. 74 of 1962), to issue the technical standards NAM-CATS-FCL 63 set out in the Schedule.

The Committee hereby invites interested parties to comment on the proposed technical standards within 30 days commencing from the date of publication of this notice. The Committee will consider the comments and any representations received at the end of the stated period after which it will make recommendations to the Director who will in turn if satisfied, with the recommendations, issue the technical standards in terms of regulation 11.03.5.

Comments or representations should be lodged in writing and should reach the Ministry no later than 30 days from the publication of this notice and should be addressed to:

Mr L. Makanza
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Windhoek
Namibia

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Fax: (061) 702244
e-mail Larry.Makanza@Gmail.com

NAMIBIAN CIVIL AVIATION TECHNICAL STANDARDS RELATING TO FLIGHT CREW LICENCING: PROFICIENCY IN LANGUAGES USED FOR RADIOTELEPHONY COMMUNICATIONS

1. GENERAL

Section 22A of the Aviation Act, 1982 (as amended by section 5 of the Aviation Amendment Act, 1998) empowers the Director: Civil Aviation to issue technical standards for civil aviation on the matters which are prescribed by regulation.

The Director: Civil Aviation has pursuant to the empowennent provision mentioned above, on (date) issued technical standards relating to proficiency in languages used for radiotelephony communication to be known as Document NAM-CATS-FCL 63.

2. PURPOSE

Document NAM-CATS-FCL 63 contains the standards, rules, requirements, methods, specifications, characteristics and procedures which are applicable in respect of matters contained in Part 61 of the Namibian Civil Aviation Regulations, 2001. The purpose of this document is to incorporate into and give effect to Chap 1.2.9 of Annex 1 of the Convention dealing with personnel licensing into Namibian Technical Standards on Civil Aviation.

Each reference to a technical standard in this document, is a reference to the corresponding regulation in the Namibian Civil Aviation Regulations, 2001, for example, technical standard 61.01.26 refers to regulation 26 of Subpart 1 of Part 61 of the Regulations.

The abbreviation "CAR" is used throughout this document when referring to any regulation.

The abbreviation "TS" refers to any technical standard.

3. SCHEDULES AND NOTES

Guidelines and recommendation in support of any particular technical standard, are contained in schedules to, and/or notes inserted throughout the technical standards.

63.01.11 LANGUAGE**1. Incorporation of Chap 1.2.9 of Annex 1 of the Convention**

- (1) Chap 1.2.9 of Annex 1 to the Convention is incorporated into and becomes part of NAM-CATS-FCL 63.

2. Certificate of proficiency

- (1) As from the date of commencement of these technical standards no person may be issued with a flight engineer licence referred to in Part 63 unless that person is in possession of certificate of proficiency in the English language issued by an approved training school pursuant to these technical standards.
- (2) A person who wishes to obtain the certificate of proficiency referred to in paragraph (1) must demonstrate compliance with -
 - (a) the holistic descriptors described in section 2 of; and
 - (b) at least operational level 4 of the ICAO language proficiency rating set out in,

the Appendix to Chap 1.2.9 of Annex 1 to the Convention.

3. Approved language training schools

- (1) If the Director is satisfied that any person or institution is capable of providing training in the English language to the level of proficiency which meets the ICAO requirements the Director may designate that person or institution as an approved school.
- (2) An approved school referred to in paragraph (1) is authorized to offer approved training and to conduct approved tests in English language proficiency and to issue certificates of proficiency in the English language.
- (3) An approved school shall design its English language proficiency training programme in accordance with the current version of the Manual on Implementation of ICAO Language Proficiency Requirements, ICAO Document 9835 AN/453.

4. Issue of English language proficiency certificate

- (1) Any person who wishes to obtain a certificate of proficiency referred to in item 2(I) shall apply for such certificate to an approved school.
- (2) On receipt of an application made in terms of paragraph (1), an approved school shall conduct an approved test and if satisfied that the applicant meets the requirements for the issue of a certificate, issue such certificate to the applicant at operational level 4, 5 or 6 of the ICAO language proficiency ratings set out in the Appendix to Chap 1.2.9 of Annex 1 to the Convention.
- (3) A person who is issued with a certificate of proficiency which is below operational level 6 of the ICAO language proficiency ratings shall be periodically evaluated in accordance with the requirements set out in paragraph 1.2.9.7 of the Appendix to Chap 1.2.9 of Annex 1 to the Convention.

5. Endorsement of licence

- (1) On production by any person of a certificate of proficiency issued in tennis of item 4(2), the Director shall endorse, in the flight engineer licence of the certificate holder, the appropriate level of proficiency indicated on the certificate.
- (2) For purposes of paragraph (1), the Director may accept a certificate of proficiency issued by an approved competent authority of another state party to the Convention if the Director is satisfied that the standards in that state meets the requirements set out in Chap 1.2.9 of Annex 1 to the Convention.

6. Existing flight engineer licences

Notwithstanding item 2(1) any person who holds a Namibian flight engineer licence shall be deemed to have complied with the requirements of operational level 6 of the ICAO language proficiency requirements at set out in Chap 1.2.9 of Annex 1 to the Convention. This transitional provision is valid until 31 December 2008.

MINISTRY OF WORKS AND TRANSPORT

No. 158

2008

**PROPOSED CIVIL AVIATION TECHNICAL STANDARDS:
NAM-CATS-FCL 65 "PROFICIENCY IN LANGUAGES USED FOR
RADIOTELEPHONY COMMUNICATIONS"**

Pursuant to regulation 11.03.2 of the Namibian Civil Aviation Regulations, 2001 the chairperson of the Civil Aviation Regulations Committee hereby notifies that the Director: Civil Aviation intends, under section 22A of the Aviation Act 1962 (Act No. 74 of 1962), to issue the technical standards NAM-CATS-FCL 65 set out in the Schedule.

The Committee hereby invites interested parties to comment on the proposed technical standards within 30 days commencing from the date of publication of this notice. The Committee will consider the comments and any representations received at the end of the stated period after which it will make recommendations to the Director who will in turn if satisfied, with the recommendations, issue the technical standards in terms of regulation 11.03.5.

Comments or representations should be lodged in writing and should reach the Ministry no later than 30 days from the publication of this notice and should be addressed to:

Mr. L. Makanza
No. 4 Rudolph Street
Windhoek
Namibia

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**NAMIBIAN CIVIL AVIATION TECHNICAL STANDARDS RELATING TO
AIR TRAFFIC SERVICES LICENCING: PROFICIENCY IN LANGUAGES
USED FOR RADIOTELEPHONY COMMUNICATIONS**

1. GENERAL

Section 22A of the Aviation Act, 1982 (as amended by section 5 of the Aviation Amendment Act, 1998) empowers the Director: Civil Aviation to issue technical standards for civil aviation on the matters which are prescribed by regulation.

The Director: Civil Aviation has pursuant to the empowerment provision mentioned above, on (date) issued technical standards relating to proficiency in languages used for radiotelephony communication to be known as Document NAM-CATS-FCL 65.

2. PURPOSE

Document NAM-CATS-FCL 65 contains the standards, rules, requirements, methods, specifications, characteristics and procedures which are applicable in respect of matters contained in Part 65 of the Namibian Civil Aviation Regulations, 2001. The purpose of this document is to incorporate into and give effect to Chap 1.2.9 of Annex 1 of the Convention dealing with personnel licensing into Namibian Technical Standards on Civil Aviation.

Each reference to a technical standard in this document, is a reference to the corresponding regulation in the Namibian Civil Aviation Regulations, 2001, for example, technical standard 61.01.26 refers to regulation 26 of Subpart 1 of Part 61 of the Regulations.

The abbreviation "CAR" is used throughout this document when referring to any regulation.

The abbreviation "TS" refers to any technical standard.

3. SCHEDULES AND NOTES

Guidelines and recommendation in support of any particular technical standard, are contained in schedules to, and/or notes inserted throughout the technical standards.

65.01.8 LANGUAGE

1. Incorporation of Chap 1.2.9 of Annex 1 of the Convention

- (1) Chap 1.2.9 of Annex 1 to the Convention is incorporated into and becomes part of NAM-CATS-FCL 65.

2. Certificate of proficiency

- (1) As from the date of commencement of these technical standards no person may be issued with an air traffic service licence referred to in Part 65 unless that person is in possession of certificate of proficiency in the English language issued by an approved training school pursuant to these technical standards.
- (2) A person who wishes to obtain the certificate of proficiency referred to in paragraph (1) must demonstrate compliance with -
 - (a) the holistic descriptors described in section 2 of; and

- (b) at least operational level 4 of the ICAO language proficiency rating set out in,

the Appendix to Chap 1.2.9 of Annex I to the Convention.

3. Approved language training schools

- (1) If the Director is satisfied that any person or institution is capable of providing training in the English language to the level of proficiency which meets the ICAO requirements the Director may designate that person or institution as an approved school.
- (2) An approved school referred to in paragraph (1) is authorized to offer approved training and to conduct approved tests in English language proficiency and to issue certificates of proficiency in the English language.
- (3) An approved school shall design its English language proficiency training programme in accordance with the current version of the Manual on Implementation of ICAO Language Proficiency Requirements, ICAO Document 9835 AN/453.

4. Issue of English language proficiency certificate

- (1) Any person who wishes to obtain a certificate of proficiency referred to in item 2(1) shall apply for such certificate to an approved school.
- (2) On receipt of an application made in terms of paragraph (1), an approved school shall conduct an approved test and if satisfied that the applicant meets the requirements for the issue of a certificate, issue such certificate to the applicant at operational level 4, 5 or 6 of the ICAO language proficiency ratings set out in the Appendix to Chap 1.2.9 of Annex 1 to the Convention.
- (3) A person who is issued with a certificate of proficiency which is below operational level 6 of the ICAO language proficiency ratings shall be periodically evaluated in accordance with the requirements set out in paragraph 1.2.9.7 of the Appendix to Chap 1.2.9 of Annex 1 to the Convention.

5. Endorsement of licence

- (1) On production by any person of a certificate of proficiency issued in terms of item 4(2), the Director shall endorse, in the air traffic service licence of the certificate holder, the appropriate level of proficiency indicated on the certificate.
- (2) For purposes of paragraph (1), the Director may accept a certificate of proficiency issued by an approved competent authority of another state party to the Convention if the Director is satisfied that the standards in that state meet the requirements set out in Chap 1.2.9 of Annex 1 to the Convention.

6. Existing air traffic service licences

Notwithstanding item 2(1) any person who holds a Namibian air traffic service licence shall be deemed to have complied with the requirements of operational level 6 of the ICAO language proficiency requirements as set out in Chap 1.2.9 of Annex 1 to the Convention.

MINISTRY OF WORKS AND TRANSPORT

No. 159

2008

**PROPOSED CIVIL AVIATION TECHNICAL STANDARDS:
NAM-CATS-FCL 61 "PROFICIENCY IN LANGUAGES USED FOR
RADIOTELEPHONY COMMUNICATIONS"**

Pursuant to regulation 11.03.2 of the Namibian Civil Aviation Regulations, 2001 the chairperson of the Civil Aviation Regulations Committee hereby notifies that the Director: Civil Aviation intends, under section 22A of the Aviation Act 1962 (Act No. 74 of 1962), to issue the technical standards NAM-CATS-FCL 61 set out in the Schedule.

The Committee hereby invites interested parties to comment on the proposed technical standards within 30 days commencing from the date of publication of this notice. The Committee will consider the comments and any representations received at the end of the stated period after which it will make recommendations to the Director who will in turn if satisfied, with the recommendations, issue the technical standards in terms of regulation 11.03.5.

Comments or representations should be lodged in writing and should reach the Ministry no later than 30 days from the publication of this notice and should be addressed to:

Mr. L. Makanza
No. 4 Rudolph Street
Windhoek
Namibia

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e-mail Larry.Makanza@Gmail.com

**NAMIBIAN CIVIL AVIATION TECHNICAL STANDARDS RELATING TO
FLIGHT CREW LICENCING: PROFICIENCY IN LANGUAGES USED FOR
RADIOTELEPHONY COMMUNICATIONS****1. GENERAL**

Section 22A of the Aviation Act, 1982 (as amended by section 5 of the Aviation Amendment Act, 1998) empowers the Director: Civil Aviation to issue technical standards for civil aviation on the matters which are prescribed by regulation.

The Director: Civil Aviation has pursuant to the empowerment provision mentioned above, on (date) issued technical standards relating to proficiency in languages used for radiotelephony communication to be known as Document NAM-CATS-FCL 61.

2. PURPOSE

Document NAM-CATS-FCL 61 contains the standards, rules, requirements, methods, specifications, characteristics and procedures which are applicable in respect of matters contained in Part 61 of the Namibian Civil Aviation Regulations, 2001. The purpose of this document is to incorporate into and give effect to Chap 1.2.9 of Annex 1 of the Convention dealing with personnel licensing into Namibian Technical Standards on Civil Aviation.

Each reference to a technical standard in this document, is a reference to the corresponding regulation in the Namibian Civil Aviation Regulations, 2001, for example, technical standard 61.01.26 refers to regulation 26 of Subpart 1 of Part 61 of the Regulations.

The abbreviation "CAR" is used throughout this document when referring to any regulation.

The abbreviation "TS" refers to any technical standard.

3. SCHEDULES AND NOTES

Guidelines and recommendation in support of any particular technical standard, are contained in schedules to, and/or notes inserted throughout the technical standards.

61.01.15 LANGUAGE

1. Incorporation of Chap 1.2.9 of Annex 1 of the Convention

- (1) Chap 1.2.9 of Annex 1 to the Convention is incorporated into and becomes part of NAM-CATS-FCL 61.

2. Certificate of proficiency

- (1) As from the date of commencement of these technical standards no person may be issued with a pilot licence referred to in Part 61 unless that person is in possession of certificate of proficiency in the English language issued by an approved training school pursuant to these technical standards.
- (2) A person who wishes to obtain the certificate of proficiency referred to in paragraph (1) must demonstrate compliance with -
 - (a) the holistic descriptors described in section 2 of, and
 - (b) at least operational level 4 of the ICAO language proficiency rating set out in,

the Appendix to Chap 1.2.9 of Annex 1 to the Convention.

3. Approved language training schools

- (1) If the Director is satisfied that any person or institution is capable of providing training in the English language to the level of proficiency which meets the ICAO requirements the Director may designate that person or institution as an approved school.
- (2) An approved school referred to in paragraph (1) is authorized to offer approved training and to conduct approved tests in English language proficiency and to issue certificates of proficiency in the English language.
- (3) An approved school shall design its English language proficiency training programme in accordance with the current version of the Manual on Implementation of ICAO Language Proficiency Requirements, ICAO Document 9835 AN/453.

4. Issue of English language proficiency certificate

- (1) Any person who wishes to obtain a certificate of proficiency referred to in item 2(1) shall apply for such certificate to an approved school.
- (2) On receipt of an application made in terms of paragraph (1), an approved school shall conduct an approved test and if satisfied that the applicant meets the requirements for the issue of a certificate, issue such certificate to the applicant at operational level 4, 5 or 6 of the ICAO language proficiency ratings set out in the Appendix to Chap 1.2.9 of Annex 1 to the Convention.
- (3) A person who is issued with a certificate of proficiency which is below operational level 6 of the ICAO language proficiency ratings shall be periodically evaluated in accordance with the requirements set out in paragraph 1.2.9.7 of the Appendix to Chap 1.2.9 of Annex 1 to the Convention.

5. Endorsement of licence

- (1) On production by any person of a certificate of proficiency issued in terms of item 4(2), the Director shall endorse, in the pilot licence of the certificate holder, the appropriate level of proficiency indicated on the certificate.
- (2) For purposes of paragraph (1), the Director may accept a certificate of proficiency issued by an approved competent authority of another state party to the Convention if the Director is satisfied that the standards in that state meets the requirements set out in Chap 1.2.9 of Annex 1 to the Convention.

6. Existing pilot licences

Notwithstanding item 2(1) any person who holds a Namibian pilot licence shall be deemed to have complied with the requirements of operational level 4 of the ICAO language proficiency requirements at set out in Chap 1.2.9 of Annex 1 to the Convention. This is a transitional provision which is valid until 31 December 2008.

MINISTRY OF WORKS AND TRANSPORT

No. 160

2008

**PROPOSED AMENDMENTS OF THE NAMIBIAN CIVIL AVIATION
TECHINICAL STANDARDS, 2003:
NAM-CATS-AR "CERTIFICATION PROCEDURES FOR PRODUCTS AND
PARTS AND AIRCRAFT AIRWORTHINESS"**

Pursuant to regulation 11.03.2 of the Namibian Civil Aviation Regulations, 2001 the chairperson of the Civil Aviation Regulations Committee hereby notifies that the Director: Civil Aviation intends, under section 22A of the Aviation Act 1962 (Act No. 74 of 1962), to amend the technical standards issued in Document NAM-CATS-AR, 2003 to the extend set out in the Schedule.

The Committee hereby invites interested parties to comment on the proposed amendments to the technical standards within 30 days commencing from the date of publication of this notice. The Committee will consider the comments and any representations received at the end of the stated period after which it will make recommendations to the Director

who will in turn if satisfied, with the recommendations, issue the amendments to the technical standards in terms of regulation 11.03.5.

Comments or representations should be lodged in writing and should reach the Ministry no later than 30 days from the publication of this notice and should be addressed to:

Comments or representations should be lodged in writing and should reach the Ministry no later than 30 days from the publication of this notice and should be addressed to:

Mr. L. Makanza
No. 4 Rudolph Hertzog Street
Windhoek
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SCHEDULE

AMENDMENT OF THE NAMIBIAN CIVIL AVIATION TECHNICAL STANDARDS RELATING TO CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS AND AIRCRAFT AIRWORTHINESS

1. GENERAL

Regulation 11.03.5 of the Namibian Civil Aviation Regulations, 2001 empowers the Director: Civil Aviation to issue or amend technical standards for civil aviation on the matters which are prescribed by regulation.

The Director: Civil Aviation pursuant to the empowerment provision mentioned above, proposes on (date) to amend the technical standards relating to aerodromes and heliports are contained in Document NAM-CATS-AR.

2. PURPOSE

Document NAM-CATS-AR contains the standards, rules, requirements, methods, specifications, characteristics and procedures which are applicable in respect of matters contained in Part 21 of the Namibian Civil Aviation Regulations, 2001. The purpose of this amendment is to define certain abbreviations and expressions used in the current technical standards and to make provision for the use of alternative certification standards for products and parts and aircraft airworthiness in cases where foreign standards are used.

Each reference to a technical standard in this document, is a reference to the corresponding regulation in the Namibian Civil Aviation Regulations, 2001, for example, technical standard 61.01.26 refers to regulation 26 of Subpart 1 of Part 61 of the Regulations.

The abbreviation "CAR" is used throughout this document when referring to any regulation.

The abbreviation "TS" refers to any technical standard.

3. SCHEDULES AND NOTES

Guidelines and recommendation in support of any particular technical standard, are contained in schedules to, and/or notes inserted throughout the technical standards.

Definition

1. In these technical standards “the principal technical standards” means the Namibian Civil Aviation Technical Standards: NAM-CATS-AR “Certification Procedures for Products and Parts and Aircraft Airworthiness” issued under Government Notice No. 3025 of 22 July 2003.

Amendment of the introductory part to the principal technical standards

2. The introductory part to the principal technical standards is amended by the insertion of the following paragraph after paragraph 3:

“4. REFERENCES TO REGULATIONS AND STANDARDS OF OTHER STATES

In these technical standards -

“BCAR” means the British Civil Airworthiness Requirements;

“CS” means the Certification Specifications issued under the EU Basic Regulation (EC) 216/2008 as amended from time to time;

“EASA” means the European Aviation Safety Agency of the European Union;

“FAA” means the Federal Aviation Administration of the USA;

“FAA AC” means Federal Aviation Administration Advisory Circular; and

“FAR” means the Federal Aviation Regulations of the USA.

Amendment of TS 21.02.3 of the principal technical standards

3. TS 21.02.3 of the principal technical standards is amended -

- (a) in item 1 by the substitution in subitem (1) for the words “Joint Airworthiness Requirements” of the word “CS”;
- (b) in item 2 by the substitution in subitem (1) for the words “Joint Airworthiness Requirements” of the words “CS-VLA”;
- (c) in item 3 by the substitution for the subitems (1) and (2) of the following subitems:

“(1) Compliance for type certification must be shown with the FAA airworthiness requirements as stated in FAR Part 23 or FAR Part 25 or the EASA airworthiness requirements as stated in CS 23 or CS 25 (as amended on the date of the application for certification), as the case may be.

(2) Aeroplanes imported from a foreign country and assembled there must meet at least FAR Part 23 or FAR Part 25 or CS 23 or 25, or

equivalent, and have been certified by an appropriate authority and released for export as such.”.

- (d) in item 4 by the substitution for the subitems (1) and (2) of the following subitems:

“(1) Compliance for type certification must be shown with the FAA airworthiness requirements as stated in FAR Part 27 or FAR Part 29 or the EASA airworthiness requirements as stated in CS 27 or CS 29 (as amended on the date of the application for certification), as the case may be.

(2) Rotorcraft imported from a foreign country and assembled there must meet at least FAR Part 27 or FAR Part 29 or CS 27 or CS 29, or equivalent, and have been certified by an appropriate authority and released for export as such.”.

- (e) in item 6 -

- (i) by insertion after paragraph (b) of subitem (1) of the word “or”;
and
- (ii) by insertion after paragraph (b) of subitem (1) of the following paragraph:

“EASA- AMC-29,”;

- (f) in item 9 by the substitution for the subitems (1) and (2) of the following subitems:

“(1) Compliance for type certification must be shown with the FAA airworthiness requirements as stated in FAR Part 33 or the EASA airworthiness requirements as stated in CS-E (Engines) (as amended on the date of the application for certification), as the case may be.

(2) Engines imported from a foreign country and assembled in Namibia must meet at least FAR Part 33 or CS-E (Engines), or equivalent, and have been certified by an appropriate authority and released as such. Engines manufactured to requirements other than the FAR or CS may be accepted by the Director, if considered practical as regards language, standards, etc.”

- (g) in item 10 by the substitution for the subitems (1) and (2) of the following subitems:

“(1) Compliance for type certification must be shown with the FAA airworthiness requirements as stated in FAR Part 35 or the EASA airworthiness requirements as stated in CS-P (Propellers) (as amended on the date of the application for certification), as the case may be.

(2) Propellers imported from a foreign country and assembled in Namibia must meet at least FAR Part 33 or CS-P (Propellers), or equivalent, and have been certified by an appropriate authority and released as such. Propellers manufactured to requirements other than the FAR or CS may be accepted by the Director, if considered practical as regards language, standards, etc.”

- (h) in item 11 by the substitution for the subitems (1) and (2) of the following subitems:

“(1) Compliance for type certification must be shown with the FAA airworthiness requirements as stated in FAR Part 21 or the EASA airworthiness requirements as stated in the EU Basic Regulation (EC) 216/2008 -Part 21 (as amended on the date of the application for certification), as the case may be.

(2) Avionics imported from a foreign country must meet at least FAR Part 21 or EASA Part 21, or equivalent, and have been certified by an appropriate authority and released as such.”

- (i) in item 12 by the substitution for the subitems (2) and (3) of the following subitems:

“(2) Compliance for type certification must be shown with the FAA airworthiness requirements as stated in FAR Part 21 or the EASA airworthiness requirements as stated in the EASA Basic Regulation 1592/2002 -Part 21 (as amended on the date of the application for certification), as the case may be.

(3) Equipment imported from a foreign country and assembled in Namibia must meet at least FAR Part 21 or EASA Part 21, or equivalent, and have been certified by an appropriate authority and released as such.”

- (j) in item 14 by the substitution in paragraph (b) of subitem (2) for the word “JAR” of the word “EASA”.
- (k) in item 16 by the substitution for the word “JAR” of the word “CS” wherever it occurs.”.
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