



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$6.00

WINDHOEK - 5 November 2019

No. 7039

CONTENTS

Page

GENERAL NOTICES

No. 461	Notice of Intention to make regulations of proposed amendments of Namibian Civil Aviation Regulations, 2001- Charges: Civil Aviation Act, 2016	1
No. 462	Notice of Intention to amend Civil Aviation Regulations (2001): Part 61.01.17 to revise the age limits for pilots involved with Commercial Air Transport Operations: Civil Aviation Act, 2016	3

General Notices

NAMIBIA CIVIL AVIATION AUTHORITY

No. 461

2019

NOTICE OF INTENTION TO MAKE REGULATIONS PROPOSED AMENDMENTS OF NAMIBIAN CIVIL AVIATION REGULATIONS, 2001- CHARGES: CIVIL AVIATION ACT, 2016

1. The Namibia Civil Aviation Authority, in terms of section 54 of the Civil Aviation Act, 2016 (Act No. 6 of 2016, 'the Act'), and the Regulations regarding Procedures on Regulations-making (Part 3.01.3) published in the Government Gazette No. 6763, General Notice No. 293 dated 8 November 2018, publishes this Notice of Intention to Make Regulations for the revision of Charges in the manner contemplated by sections 25 and 62 of the Act.
2. Purpose and reasons: The amended regulations aim to:
 - (i) enable the NCAA to meet its statutory mandate as required by sections 9 and 10 of the Act in particular;
 - (ii) ensure the compliance with articles 12 and 15 of the Chicago Convention of 1944 in Schedule 1 of the Act;

- (iii) administer funds of the Authority in the manner contemplated by sections 22 and 24 of the Act; and
 - (iv) provide for revised fees including charges in relation to various services offered by the NCAA and required of aviation document holders.
3. Further motivations in relation to the aforementioned are to be set out in documents to be made available by the NCAA within 14 days of the consultation process initiated in terms of this Government Notice.
 4. The Executive Director of Civil Aviation, if satisfied and after due consideration, intends to submit the proposed amendments on the NAMCARS for recommendation by the Board of the NCAA to the Minister of Works and Transport to make regulations in terms of the applicable provisions of Parts 8 and 9 of the Act, with effect from the set preliminary date of 1 May 2020.
 5. Interested persons or groups of persons are invited to submit written comments/submissions/ oral submissions, or replies to comments/submissions/oral submissions, and for reconsideration on the current and proposed amendments, to the NAMCARS at least 60 days (inclusive of the period mentioned in paragraph 3 herein) from the date of publication of this Notice. The NCAA will consider the comments and any representations received during and by the end of the stated consultations period.
 6. Document availability: Documents for this purpose will be available by way for download free of charge, from the NCAA website: www.ncaa.com.na/Part187_draft, by the date set out under paragraph 3 of this Notice. Photocopies will be available from the NCAA Registry at N\$2.00 per page.
 7. Questions, queries and further clarification on this Notice must be directed to the NCAA Legal Affairs and Enforcement Dept, which serves as the secretariat for this purpose, at tel . +264 83 235 2112, or email legal@ncaa.com.na. Comments or representations on the draft NAMCARS should be lodged in writing and should reach the NCAA no later than 60 days from the publication of this Notice and should be addressed to:

The Executive Director
Namibia Civil Aviation Authority
NCAA Head Office (4th Floor)
No.12 Rudolf Hertzog Street
Private Bag 12003
Windhoek, Namibia

Tel: (061) 083 235 2110

Email: legal@ncaa.com.na, cfo@ncaa.com.na and/or HANS@ncaa.com.na

R. GÄRTNER
INTERIM EXECUTIVE DIRECTOR
NAMIBIA CIVIL AVIATION AUTHORITY

Windhoek, 22 October 2019

NAMIBIA CIVIL AVIATION AUTHORITY

No. 462

2019

NOTICE OF INTENTION TO AMEND CIVIL AVIATION REGULATIONS (2001): PART
61.01.17 TO REVISE THE AGE LIMITS FOR PILOTS INVOLVED WITH COMMERCIAL
AIR TRANSPORT OPERATIONS: CIVIL AVIATION ACT, 2016

1. The Namibia Civil Aviation Authority ('the NCAA'), pursuant to Part 9 of the Civil Aviation Act, 2016 (Act No. 6 of 2016, 'the Act') and Part 3 of the Namibia Civil Aviation Regulations, 2018 (Government Gazette No. 6783 of 8 November 2018), publishes this Notice to amend regulation Part 61.01.17 published in Government Gazette No. 2467 of 2 January 2001 (General Notice No. 1 of 2001), prescribing the age limits for pilots exercising privileges in terms of a license (aviation document) for commercial air transport operations.
2. Purpose and reasons: The amended regulation aims to:
 - (i) ensure the compliance with Annex 1 issued in terms of the Chicago Convention of 1944 in Schedule 1 of the Act;
 - (iii) ensure the safety of international and domestic flight commercial air operations conducted by pilots older than 60 years of age;
 - (iv) align Namibia's practices with current international practices.
3. Proposed amendment of Civil Aviation Regulation Part 61.01.17:

"Regulation 61.01.17 of the Regulations is amended –

 - (a) by the deletion of the following words: "No holder of a pilot license who has attained the age of 60 years shall act as a pilot-in-command of an aircraft engaged in any commercial air transport operations"; and
 - (b) by the insertion of the following words:
 - "(1) The holder of a pilot licence who has attained the age of 60 years shall not act as a pilot of an aircraft engaged in an international flight for commercial purposes except as a member of a multi-crew in which case he or she may act as a pilot of an international flight up to the age of 65 years.
 - (2) The holder of a pilot licence who has attained the age of 65 years may not act as a pilot of an aircraft engaged in an international flight for commercial purposes, unless the relevant authority of the foreign state has given permission for the pilot to be a flight crew member of commercial air transport operations within that country notwithstanding his or her age.
 - (3) The holder of a pilot licence may act as a pilot of an aircraft engaged in commercial air transport operations within Namibia for as long as he or she meets the medical fitness standard required for the licence held."
4. Interested persons or groups of persons are invited to submit written comments/submissions/oral submissions, or replies to comments/submissions/oral submissions, to the NAMCARS within 21 days from the date of publication of this Notice. The NCAA will consider the comments and any representations received at the end of the stated period.

6. Document availability: Documents for this purpose will be available by way for download free of charge, from the NCAA website: www.ncaa.com.na/61PEL_draft, from the date of this Notice. Photocopies will be available from the NCAA Registry at N\$2.00 per page.
7. Questions, queries and further clarification on this Notice must be directed to the NCAA Personnel Licensing department, which serves as the secretariat for this purpose, at tel. +264 83 235 2491, or email PEL@ncaa.com.na. In accordance with the Regulations in Part 3 comments or representations on the draft NAMCARS should be lodged in writing and should reach the NCAA no later than 21 days from the publication of this Notice and should be addressed to:

The Senior Manager: Personnel Licensing Division
Namibia Civil Aviation Authority
NCAA Head Office (4th Floor)
No.12 Rudolf Hertzog Street
Private Bag 12003
Windhoek, Namibia

Tel: (061) 083 235 2110

Email: legal@ncaa.com.na, and/or PEL@ncaa.com.na

G. NANUB
for EXECUTIVE DIRECTOR
NAMIBIA CIVIL AVIATION AUTHORITY

Windhoek, 24 October 2019