



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$12.40

WINDHOEK - 27 October 2011

No. 4819

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General Notices

MINISTRY OF WORKS AND TRANSPORT

No. 333

2011

PROPOSED AMENDMENT OF THE NAMIBIAN CIVIL AVIATION REGULATIONS, 2001: AVIATION ACT, 1962

Pursuant to regulation 11.03.2 of the Namibian Civil Aviation Regulations published in Government Notice No. 1 of 2 January of 2001 the chairperson of the Civil Aviation Regulations Committee notifies the general public that the Minister of Works and Transport intends, under section 22 of the Aviation Act, 1962 (Act No. 74 of 1962), to amend the Namibian Civil Aviation Regulations, 2001 as set out in the Schedule.

The Committee hereby invites interested parties to comment on the proposed amendments to the regulations 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, submit them to the Minister for approval in terms of regulation 11.03.4.

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. Graeme Van Niekerk
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Windhoek Namibia

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P. O'BRIEN
CHAIRPERSON OF THE CIVIL
AVIATION REGULATIONS COMMITTEE

SCHEDULE

AMENDMENT OF THE NAMIBIAN CIVIL AVIATION REGULATIONS, 2001:
AVIATION ACT, 1962

Definition

1. In these regulations "the Regulations" means the Namibian Civil Aviation Regulations published in Government Notice No. 1 of 2 January 2001 as amended by Government Notices No. 57 of 1 April 2006 and No. 201 of 20 November 2006.

Amendment of Part 61 of the Regulations

2. Part 61 of the Regulations is amended:

(a) by the substitution for regulation 61.01.15 of the following regulation:

"61.01.15 (1) The holder of a pilot licence issued under this Part shall have sufficient ability in reading, speaking and understanding the English language to enable the holder to adequately carry out his or her responsibilities as a pilot.

(2) With the exception of a student pilot licence, a person may not be issued with a pilot licence under this Part unless he or she has demonstrated the appropriate English Language Proficiency as prescribed in Document NAM-CATS-FCL-61 English Language Proficiency."; and

(b) in regulations 61.03.1, 61.04.1, 61.05.1, 61.06.1, 61.07.1, 61.08.1, 61.09.1, 61.10.1, 61.11.1, 61.12.1, 61.13.1, 61.14.1 and 61.15.1 by the insertion in each case of the following paragraph after paragraph (d):

(da) holds an English language proficiency certification referred to in regulation 61.01.15;".

Amendment of Part 63 of the Regulations

3. Part 63 of the Regulations is amended:

- (a) by the substitution for regulation 63.01.11 of the following regulation:

“63.01.11 (1) The holder of a flight engineer licence issued under this Part shall have sufficient ability in reading, speaking and understanding the English language to enable the holder to adequately carry out responsibilities as a flight engineer.

(2) A person may not be issued with a flight engineer licence under this Part unless he or she has demonstrated the appropriate English language proficiency as prescribed in document NAM-CATS-FCL-63 English Language Proficiency.”; and

- (b) in regulation 63.02.1 by the insertion of the following paragraph after paragraph (b):

“(ba) holds an English language proficiency certification referred to in regulation 63.01.11;”.

Amendment of Part 64 of the Regulations

4. Part 64 of the Regulations is amended:

- (a) by the substitution for regulation 64.01.8 of the following regulation:

“64.01.8 (1) “The holder of a cabin crew member licence issued under this Part shall have sufficient ability in reading, speaking and understanding the English language to enable the holder to adequately carry out responsibilities as a cabin crew member.

(2) A person may not be issued with a cabin crew member licence under this part unless he or she has demonstrated the appropriate English language proficiency as prescribed in document NAM-CATS-FCL-64 English Language Proficiency.”; and

- (b) in regulation 64.02.1 by the insertion of the following paragraph after paragraph (b):

“(ba) holds an English language proficiency certification referred to in regulation 64.01.8;”.

Amendment of Part 65 of the Regulations

5. Part 65 of the Regulations is amended:

- (a) by the substitution for regulation 65.01.8 of the following regulation:

“65.01.8 (1) The holder of an air traffic service licence issued under this Part shall have sufficient ability in reading, speaking and understanding the English language to enable the holder to adequately carry out responsibilities as an air traffic service controller.

(2) A person may not be issued with an air traffic service licence under this Part unless he or she has demonstrated the appropriate English language proficiency as prescribed in document NAM-CATS-FCL-65 English Language Proficiency.”; and

- (b) in regulation 65.02.1 by the insertion of the following paragraph after paragraph (b):

“(ba) holds an English language proficiency certification referred to in regulation 65.01.8;”.

MINISTRY OF WORKS AND TRANSPORT

No. 334

2011

PROPOSED CIVIL AVIATION TECHNICAL STANDARDS NAM-CATS-FCL 61 “ENGLISH LANGUAGE PROFICIENCY RELATING TO PILOT LICENSING”

Pursuant to regulation 11.03.2 of the Namibian Civil Aviation Regulations published in Government Notice No. 1 of 2 January of 2001, the chairperson of the Civil Aviation Regulations Committee 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 invites interested parties to comment on the proposed technical standards amendments 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 must reach the Ministry no later than 30 days from the publication of this notice and should be addressed to:

Mr. Graeme Van Niekerk
No. 4 Rudolph Street
Windhoek Namibia

Tel: (061) 702245
Fax: (061) 702244
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P. O'BRIEN
CHAIRPERSON OF THE CIVIL
AVIATION REGULATIONS COMMITTEE

SCHEDULE

NAMIBIAN CIVIL AVIATION TECHNICAL STANDARDS NAM-CATS-FCL 61 “ENGLISH LANGUAGE PROFICIENCY RELATING TO PILOT LICENSING”

1. GENERAL

Section 22A of the Aviation Act, 1962 (Act No. 74 of 1962) as amended by section 5 of the Aviation Amendment Act, 1998 (Act No. 27 of 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 this day issued technical standards relating to English language proficiency contained in document NAM-CATS-FCL 61 ENGLISH LANGUAGE PROFICIENCY.

2. PURPOSE

Document NAM-CATS-FCL 61 contains the standards, rules, requirements, methods, specifications, characteristics and procedures which are applicable to 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 Annex 1 of the Convention dealing with personnel licensing in Namibia.

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 61.01.13 refers to regulation 13 of Subpart 1 of Part 61 of the regulations.

The abbreviation “NAMCAR” means the Namibian Civil Aviation Regulations, 2001 and is used in this document when referring to any regulation.

3. SCHEDULES AND NOTES

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

4. LIST OF TECHNICAL STANDARDS

61.1.15 LANGUAGE

1. Certification
2. English language requirements
3. Certificate of English language proficiency
4. Designated examiners for the issue of English language proficiency certificates
5. Issue of English language proficiency certificate
6. Endorsement on licence
7. Alternative language proficiency certification
8. Transitional arrangements for existing pilot licences

ANNEXURES

ANNEXURE A: REQUIREMENTS FOR PROFICIENCY IN ENGLISH LANGUAGE
ANNEXURE B: LANGUAGE PROFICIENCY RATING SCALE

Part 61.01.15 LANGUAGE

1. Certification

English language proficiency certification is a requirement for all pilots licensed in terms of Part 61.

2. English language requirements

- (1) In accordance with ICAO requirements (Chapter 1.2.9 of Annex 1) pilots shall demonstrate a minimum proficiency of at least operational level ‘4’ of both ICAO standard phraseology and plain language.
- (2) Pilots who have not been rated at level 6 proficiency shall be tested for English language proficiency at the intervals stated below to ensure that they remain proficient at the required level:

PROFICIENCY LEVEL	PROFICIENCY TESTING INTERVAL
Level 6: Expert	Retesting not required
Level 5: Extended	Retesting required every six years
Level 4: Operational (Minimum level)	Retesting required every three years
Level 3: Pre-operational	Licence not issued/maintained

Level 2: Elementary	Licence not issued/maintained
Level 1: Pre-elementary	Licence not issued/maintained

- (3) Language proficiency requirement applies to speaking and listening proficiency only and does not address the ability to read or write in the English language.

3. Certificate of English language proficiency

- (1) A person may not be issued or re-issued with a licence referred to in Part 61 unless that person is in possession of a certificate of proficiency in the English language issued by a designated language examiner in terms of these technical standards.
- (2) A person who wishes to obtain the certificate of proficiency referred to in subparagraph (1) shall demonstrate compliance with -
- (a) the holistic descriptors described in Annexure A; and
- (b) at least operational level 4 of the language proficiency rating standard set out in Annexure B.

4. Designated language examiners for the issue of English language proficiency certificates

- (1) If the Director is satisfied that any person is capable of providing testing in the English language to the level of proficiency which meets the ICAO requirements specified in ICAO document 9835, the Director may designate that person as a designated language examiner for the purpose of English language proficiency testing.
- (2) A designated language examiner referred to in subparagraph (1) is authorised to conduct approved tests in English language proficiency and to issue certificates of proficiency in the English language.
- (3) A designated language examiner shall design the English language proficiency test in accordance with the standards set out in Annexures A and B.

Note: Additional guidance material for English language training and test development is available in ICAO Annex 1 including the Manual on Implementation of ICAO Language Proficiency Requirements ICAO document 9835 AN/453 and ICAO Circular 323 AN/185.

5. Issue of English language proficiency certificate

- (1) Any person who wishes to obtain a certificate of proficiency referred to in paragraph 3 shall contact a designated language proficiency examiner. The Director shall make the list of designated language proficiency examiners available to the public
- (2) The designated language proficiency examiner shall conduct an approved language proficiency 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, level 5 or level 6 of the language proficiency rating standard set out in Annexure B.
- (3) A person who is issued with a certificate of proficiency which is below expert level 6 shall be re-evaluated at the intervals set out in paragraph 2(2).
- (4) A person who does not meet the ICAO level 4 proficiency requirements will be required to undergo English language training and shall be required to wait for a period of 90 days before being re-tested.

- (5) The language proficiency certificate shall contain the following:
- (a) name of the certificate, such as the English language proficiency certificate;
 - (b) name of designated language examiner;
 - (c) full names of the person tested;
 - (d) identity number or passport number of the person tested;
 - (e) licence number of the person tested;
 - (f) licence type of the person tested;
 - (g) colour identity photograph of the person tested; and
 - (h) the assessment rating for each of the required dimensions –
 - (i) pronunciation;
 - (ii) structure;
 - (iii) vocabulary;
 - (iv) fluency;
 - (v) comprehension;
 - (vi) interaction;
 - (i) the overall language proficiency rating.

6. Endorsement on licence

Upon production by any licence holder of a certificate of language proficiency issued in terms of paragraph 5(2), the Director shall endorse on the pilot licence of the certificate holder, the appropriate level of proficiency indicated on the certificate.

7. Alternative language proficiency certification

- (1) For the purposes of paragraph 6, the Director may accept a certificate of language proficiency issued by a competent authority of a Contracting State 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.
- (2) A person who can provide evidence of expert English proficiency (level 6) by means of submission of the following evidence, shall be considered for alternative language proficiency certification:
- (a) certified copy of school leavers certificate from a State where English is the first or official language, showing a B or equivalent symbol for English as a minimum;
 - (b) certified copy of school leavers certificate from a State where English is the second language, showing a A or equivalent symbol for English as a minimum;
 - (c) proof of having completed a college or university degree (at least 3 year degree) in the English language with at least 2 years English language exposure socially or at work;

- (d) proof of extensive working experience in the English language; and
 - (e) proof of very high scores in English Language spoken and written tests.
- (3) All persons submitting evidence for alternative language certification shall be evaluated by the Director or a delegated personnel licensing inspector and shall be required to attend an interview.

8. Transitional arrangements for existing pilot licences

- (1) Notwithstanding paragraph 3(1), any person who holds a Namibian pilot licence shall be considered to have complied with the requirements of operational level 4 of the language proficiency requirements at set out in Annexure B until issue of a language proficiency rating pursuant to paragraph 5(2).
- (2) With the promulgation of NAMCAR 61.01.15 and these technical standards, existing licence holders are expected to comply with these standards as follows:
- (a) commercial and airline transport pilot licence holders shall be expected to obtain a language proficiency certificate within 90 days of these standards becoming effective; and
 - (b) private, microlight, free balloon, glider, and gyroplane pilots shall be expected to obtain a language proficiency certificate within 12 months of these standards becoming effective.

ANNEXURE A - REQUIREMENTS FOR PROFICIENCY IN ENGLISH LANGUAGE

1. General

To meet the language proficiency requirements an applicant for a licence or a licence holder shall demonstrate compliance with the holistic descriptors at operational level (level 4) of the language proficiency rating scale as described in Annexure B in a manner acceptable to the Director.

2. Holistic descriptors

Proficient speakers shall -

- (a) communicate effectively in voice-only (telephone/radiotelephone) and in face-to-face situations;
- (b) communicate on common, concrete and work-related topics with accuracy and clarity;
- (c) use appropriate communicative strategies to exchange messages and to recognize and resolve misunderstandings (e.g. to check, confirm, or clarify information) in a general or work-related context;
- (d) handle successfully and with relative ease the linguistic challenges presented by a complication or unexpected turn of events that occurs within the context of a routine work situation or communicative task with which they are otherwise familiar; and
- (e) use a dialect or accent which is intelligible to the aeronautical community.

ANNEXURE B - LANGUAGE PROFICIENCY RATING SCALE

LEVEL	PRONUNCIATION Assumes a dialect and/or accent intelligible to the aeronautical community.	STRUCTURE Relevant grammatical structures and sentence patterns are determined by language functions appropriate to the task.	VOCABULARY	FLUENCY	COMPREHENSION	INTERACTIONS
Expert 6	Pronunciation, stress, rhythm, and intonation, though possibly influenced by the first language or regional variation, almost never interfere with ease of understanding.	Both basic and complex grammatical structures and sentence patterns are consistently well controlled.	Vocabulary range and accuracy are sufficient to communicate effectively on a wide variety of familiar and unfamiliar topics. Vocabulary is idiomatic, nuanced, and sensitive to register.	Able to speak at length with a natural, effortless flow. Varies speech flow for stylistic effect, e.g. to emphasize a point. Uses appropriate discourse markers and connectors spontaneously.	Comprehension is consistently accurate in nearly all contexts and includes comprehension of linguistic and cultural subtleties.	Interacts with ease in nearly all situations. Is sensitive to verbal and non-verbal cues and responds to them appropriately.
Extended 5	Pronunciation, stress, rhythm, and intonation, though influenced by the first language or regional variation, rarely interfere with ease of understanding.	Basic grammatical structures and sentence patterns are consistently well controlled. Complex structures are attempted but with errors which sometimes interfere with meaning.	Vocabulary range and accuracy are sufficient to communicate effectively on common, concrete, and work-related topics. Paraphrases consistently and successfully. Vocabulary is sometimes idiomatic.	Able to speak at length with relative ease on familiar topics but may not vary speech flow as a stylistic device. Can make use of appropriate discourse markers or connectors.	Comprehension is accurate on common, concrete, and work related topics and mostly accurate when the speaker is confronted with a linguistic or situational complication or an unexpected turn of events. Is able to comprehend a range of speech varieties (dialect and/or accent) or registers.	Responses are immediate, appropriate, and informative. Manages the speaker/listener relationship effectively.

<p>Operational 4</p>	<p>Pronunciation, stress, rhythm, and intonation are influenced by the first language or regional variation but only sometimes interfere with ease of understanding.</p>	<p>Basic grammatical structures and sentence patterns are used creatively and are usually well controlled. Errors may occur, particularly in unusual or unexpected circumstances, but rarely interfere with meaning.</p>	<p>Vocabulary range and accuracy are usually sufficient to communicate effectively on common, concrete, and work-related topics. Can often paraphrase successfully when lacking vocabulary in unusual or unexpected circumstances.</p>	<p>Produces stretches of language at an appropriate tempo. There may be occasional loss of fluency on transition from rehearsed or formulaic speech to spontaneous interaction, but this does not prevent effective communication. Can make limited use of discourse markers or connectors. Fillers are not distracting.</p>	<p>Comprehension is mostly accurate on common, concrete, and work related topics when the accent or variety used is sufficiently intelligible for an international community of users. When the speaker is confronted with a linguistic or situational complication or an unexpected turn of events, comprehension may be slower or require clarification strategies.</p>	<p>Responses are usually immediate, appropriate, and informative. Initiates and maintains exchanges even when dealing with an unexpected turn of events. Deals adequately with apparent misunderstandings by checking, confirming, or clarifying.</p>
<p>Preoperational 3</p>	<p>Pronunciation, stress, rhythm, and intonation are influenced by the first language or regional variation and frequently interfere with ease of understanding.</p>	<p>Basic grammatical structures and sentence patterns associated with predictable situations are not always well controlled. Errors frequently interfere with meaning.</p>	<p>Vocabulary range and accuracy are often sufficient to communicate on common, concrete, or work-related topics, but range is limited and the word choice often inappropriate. Is often unable to paraphrase successfully when lacking vocabulary.</p>	<p>Produces stretches of language, but phrasing and pausing are often inappropriate. Hesitations or slowness in language processing may prevent effective communication. Fillers are sometimes distracting.</p>	<p>Comprehension is often accurate on common, concrete, and work related topics when the accent or variety used is sufficiently intelligible for an international community of users. May fail to understand a linguistic or situational complication or an unexpected turn of events.</p>	<p>Responses are sometimes immediate, appropriate, and informative. Can initiate and maintain exchanges with reasonable ease on familiar topics and in predictable situations. Generally inadequate when dealing with an unexpected turn of events.</p>
<p>Elementary 2</p>	<p>Pronunciation, stress, rhythm, and intonation are heavily influenced by the first language or regional variation and usually interfere with ease of understanding.</p>	<p>Shows only limited control of a few simple memorized grammatical structures and sentence patterns.</p>	<p>Limited vocabulary range consisting only of isolated words and memorized phrases.</p>	<p>Can produce very short, isolated, memorized utterances with frequent pausing and a distracting use of fillers to search for expressions and to articulate less familiar words.</p>	<p>Comprehension is limited to isolated, memorized phrases when they are carefully and slowly articulated.</p>	<p>Response time is slow and often inappropriate. Interaction is limited to simple routine exchanges.</p>
<p>Pre-elementary 1</p>	<p>Performs at a level below the Elementary level.</p>	<p>Performs at a level below the Elementary level.</p>	<p>Performs at a level below the Elementary level.</p>	<p>Performs at a level below the Elementary level.</p>	<p>Performs at a level below the Elementary level.</p>	<p>Performs at a level below the Elementary level.</p>

MINISTRY OF WORKS AND TRANSPORT

No. 335

PROPOSED CIVIL AVIATION TECHNICAL STANDARDS NAM-CATS-FCL 63 "ENGLISH LANGUAGE PROFICIENCY RELATING TO FLIGHT ENGINEER LICENSING"

Pursuant to regulation 11.03.2 of the Namibian Civil Aviation Regulations published under Government Notice No. 1 of 2 January, 2001 the chairperson of the Civil Aviation Regulations Committee 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 "Language" set out in the Schedule.

The Committee invites interested parties to comment on the proposed technical standards amendments 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 must reach the Ministry no later than 30 days from the publication of this notice and should be addressed to:

Mr. Graeme Van Niekerk
No. 4 Rudolph Street
Windhoek Namibia

Tel: (061) 702245
Fax: (061) 702244
Email: vanniekerkg@dca.com.na

P. O'BRIEN
CHAIRPERSON OF THE CIVIL
AVIATION REGULATIONS COMMITTEE

SCHEDULE**NAMIBIAN CIVIL AVIATION TECHNICAL STANDARDS NAM-CATS-FCL 63 "ENGLISH LANGUAGE PROFICIENCY RELATING TO FLIGHT ENGINEER LICENSING"****1. GENERAL**

Section 22A of the Aviation Act, 1962 (Act No. 74 of 1962) as amended by section 5 of the Aviation Amendment Act, 1998 (Act No. 27 of 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 this day issued technical standards relating to English Language Proficiency contained in document NAM-CATS-FCL 63 ENGLISH LANGUAGE PROFICIENCY.

2. PURPOSE

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

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 63.01.13 refers to regulation 13 of Subpart 1 of Part 63 of the Namibian Civil Aviation Regulations, 2001.

The abbreviation “NAMCAR” means the Namibian Civil Aviation Regulations, 2001 and is used in this document when referring to any regulation.

3. SCHEDULES AND NOTES

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

4. LIST OF TECHNICAL STANDARDS

63.01.11 LANGUAGE

1. Certification
2. English language requirements
3. Certificate of English language proficiency
4. Designated examiners for the issue of English language proficiency certificates
5. Issue of English language proficiency certificate
6. Endorsement on licence
7. Alternative language proficiency certification
8. Transitional arrangements for existing flight engineer licences

ANNEXURES

- ANNEXURE A: REQUIREMENTS FOR PROFICIENCY IN ENGLISH LANGUAGE
ANNEXURE B: LANGUAGE PROFICIENCY RATING SCALE

Part 63.01.11 LANGUAGE

1. Certification

English Language proficiency certification is a requirement for all flight engineers licensed in terms of Part 63.

2. English language requirements

- (1) In accordance with ICAO requirements (Chapter 1.2.9 of Annex 1) flight engineers shall demonstrate a minimum proficiency of at least operational level ‘4’ of both ICAO standard phraseology and plain language.
- (2) Flight engineers who have not been rated at level 6 proficiency shall be tested for English language proficiency at the intervals stated below to ensure that they remain proficient at the required level:

PROFICIENCY LEVEL	PROFICIENCY TESTING INTERVAL
Level 6: Expert	Retesting not required
Level 5: Extended	Retesting required every six years
Level 4: Operational (Minimum level)	Retesting required every three years
Level 3: Pre-operational	Licence not issued/maintained
Level 2: Elementary	Licence not issued/maintained
Level 1: Pre-elementary	Licence not issued/maintained

- (3) Language proficiency requirement applies to speaking and listening proficiency only and does not address the ability to read or write in the English language.

3. Certificate of English language proficiency

- (1) A person may not be issued or re-issued with a licence referred to in Part 63 of the regulations unless that person is in possession of a certificate of proficiency in the English language issued by an a designated language examiner pursuant to these technical standards.
- (2) A person who wishes to obtain the certificate of proficiency referred to in subparagraph (1) shall demonstrate compliance with -
 - (a) the holistic descriptors described in Annexure A; and
 - (b) at least operational level 4 of the language proficiency rating standard set out in Annexure B.

4. Designated language examiners for the issue of English language proficiency certificates

- (1) If the Director is satisfied that any person is capable of providing testing in the English language to the level of proficiency which meets the ICAO requirements specified in ICAO document 9835 the Director may designate that person as a designated language examiner for the purpose of English language proficiency testing.
- (2) A designated language examiner referred to in subparagraph (1) is authorised to conduct approved tests in English language proficiency and to issue certificates of proficiency in the English language.
- (3) A designated language examiner shall design the English language proficiency test in accordance with the standards set out in Annexures A and B.

Note: Additional guidance material for English language training and test development is available in ICAO Annex 1 including the Manual on Implementation of ICAO Language Proficiency Requirements ICAO document 9835 AN/453 and ICAO Circular 323 AN/185.

5. Issue of English language proficiency certificate

- (1) Any person who wishes to obtain a certificate of proficiency referred to in paragraph 3 shall contact a designated language proficiency examiner. The Director shall make the list of designated language proficiency examiners available to the public.
- (2) The designated language proficiency examiner shall conduct an approved language proficiency 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, level 5 or level 6 of the language proficiency rating standard set out in Annexure B.
- (3) A person who is issued with a certificate of proficiency which is below expert level 6 shall be re-evaluated at the intervals set out in paragraph 2(2).
- (4) A person who does not meet the ICAO level 4 proficiency requirements will be required to undergo English language training and shall be required to wait for a period of 90 days before being re-tested.

- (5) The language proficiency certificate shall contain the following:
- (a) name of the certificate such as the English language proficiency certificate;
 - (b) name of designated language examiner;
 - (c) full names of the person tested;
 - (d) identity number or passport number of the person tested;
 - (e) licence number of the person tested;
 - (f) licence type of the person tested;
 - (g) colour identity photograph of the person tested; and
 - (h) the assessment rating for each of the required dimensions –
 - (i) pronunciation;
 - (ii) structure;
 - (iii) vocabulary;
 - (iv) fluency;
 - (v) comprehension;
 - (vi) interaction;
 - (i) the overall language proficiency rating.

6. Endorsement on licence

Upon production by any licence holder of a certificate of language proficiency issued in terms of paragraph 5(2) the Director shall endorse on the flight engineer licence of the certificate holder, the appropriate level of proficiency indicated on the certificate.

7. Alternative language proficiency certification

- (1) For the purposes of paragraph 6, the Director may accept a certificate of language proficiency issued by a competent authority of a Contracting State 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.
- (2) A person who can provide evidence of expert English proficiency (level 6) by means of submission of the following evidence, shall be considered for alternative language proficiency certification:
 - (a) certified copy of school leavers certificate from a State where English is the first or official language, showing a B or equivalent symbol for English as a minimum;
 - (b) certified copy of school leavers certificate from a State where English is the second language, showing an A or equivalent symbol for English as a minimum;
 - (c) proof of having completed a college or university degree (at least 3 year degree) in the English language with at least 2 years English language exposure socially or at work;

- (d) proof of extensive working experience in the English language; and
 - (e) proof of very high scores in English language spoken and written tests.
- (3) All persons submitting evidence for alternative language certification shall be evaluated by the Director or a delegated personnel licensing inspector and shall be required to attend an interview.

8. Transitional arrangements for existing flight engineer licences

- (1) Notwithstanding paragraph 3(1) any person who holds a Namibian flight engineer licence shall be considered to have complied with the requirements of operational level 4 of the language proficiency requirements at set out in Annexure B until issue of a language proficiency rating pursuant to paragraph 5(2).
- (2) With the promulgation of NAMCAR regulation 63.01.11 and these technical standards, existing licence holders shall be expected to obtain a language proficiency certificate within 90 days of these standards becoming effective.

ANNEXURE A - REQUIREMENTS FOR PROFICIENCY IN ENGLISH LANGUAGE

1. General

To meet the language proficiency requirements an applicant for a licence or a licence holder shall demonstrate compliance with the holistic descriptors at Operational Level (Level 4) of the language proficiency rating scale as described in Annexure B in a manner acceptable to the Director.

2. Holistic descriptors

Proficient speakers shall -

- (a) communicate effectively in voice-only (telephone/radiotelephone) and in face-to-face situations;
- (b) communicate on common, concrete and work-related topics with accuracy and clarity;
- (c) use appropriate communicative strategies to exchange messages and to recognize and resolve misunderstandings (e.g. to check, confirm, or clarify information) in a general or work-related context;
- (d) handle successfully and with relative ease the linguistic challenges presented by a complication or unexpected turn of events that occurs within the context of a routine work situation or communicative task with which they are otherwise familiar; and
- (e) use a dialect or accent which is intelligible to the aeronautical community.

ANNEXURE B - LANGUAGE PROFICIENCY RATING SCALE

LEVEL	PRONUNCIATION Assumes a dialect and/or accent intelligible to the aeronautical community.	STRUCTURE Relevant grammatical structures and sentence patterns are determined by language functions appropriate to the task.	VOCABULARY	FLUENCY	COMPREHENSION	INTERACTIONS
Expert 6	Pronunciation, stress, rhythm, and intonation, though possibly influenced by the first language or regional variation, almost never interfere with ease of understanding.	Both basic and complex grammatical structures and sentence patterns are consistently well controlled.	Vocabulary range and accuracy are sufficient to communicate effectively on a wide variety of familiar and unfamiliar topics. Vocabulary is idiomatic, nuanced, and sensitive to register.	Able to speak at length with a natural, effortless flow. Varies speech flow for stylistic effect, e.g. to emphasize a point. Uses appropriate discourse markers and connectors spontaneously.	Comprehension is consistently accurate in nearly all contexts and includes comprehension of linguistic and cultural subtleties.	Interacts with ease in nearly all situations. Is sensitive to verbal and non-verbal cues and responds to them appropriately.
Extended 5	Pronunciation, stress, rhythm, and intonation, though influenced by the first language or regional variation, rarely interfere with ease of understanding.	Basic grammatical structures and sentence patterns are consistently well controlled. Complex structures are attempted but with errors which sometimes interfere with meaning.	Vocabulary range and accuracy are sufficient to communicate effectively on common, concrete, and work-related topics. Paraphrases consistently and successfully. Vocabulary is sometimes idiomatic.	Able to speak at length with relative ease on familiar topics but may not vary speech flow as a stylistic device. Can make use of appropriate discourse markers or connectors.	Comprehension is accurate on common, concrete, and work related topics and mostly accurate when the speaker is confronted with a linguistic or situational complication or an unexpected turn of events. Is able to comprehend a range of speech varieties (dialect and/or accent) or registers.	Responses are immediate, appropriate, and informative. Manages the speaker/listener relationship effectively.

<p>Operational 4</p>	<p>Pronunciation, stress, rhythm, and intonation are influenced by the first language or regional variation but only sometimes interfere with ease of understanding.</p>	<p>Basic grammatical structures and sentence patterns are used creatively and are usually well controlled. Errors may occur, particularly in unusual or unexpected circumstances, but rarely interfere with meaning.</p>	<p>Vocabulary range and accuracy are usually sufficient to communicate effectively on common, concrete, and work-related topics. Can often paraphrase successfully when lacking vocabulary in unusual or unexpected circumstances.</p>	<p>Produces stretches of language at an appropriate tempo. There may be occasional loss of fluency on transition from rehearsed or formulaic speech to spontaneous interaction, but this does not prevent effective communication. Can make limited use of discourse markers or connectors. Fillers are not distracting.</p>	<p>Comprehension is mostly accurate on common, concrete, and work related topics when the accent or variety used is sufficiently intelligible for an international community of users. When the speaker is confronted with a linguistic or situational complication or an unexpected turn of events, comprehension may be slower or require clarification strategies.</p>	<p>Responses are usually immediate, appropriate, and informative. Initiates and maintains exchanges even when dealing with an unexpected turn of events. Deals adequately with apparent misunderstandings by checking, confirming, or clarifying.</p>
<p>Preoperational 3</p>	<p>Pronunciation, stress, rhythm, and intonation are influenced by the first language or regional variation and frequently interfere with ease of understanding.</p>	<p>Basic grammatical structures and sentence patterns associated with predictable situations are not always well controlled. Errors frequently interfere with meaning.</p>	<p>Vocabulary range and accuracy are often sufficient to communicate on common, concrete, or work-related topics, but range is limited and the word choice often inappropriate. Is often unable to paraphrase successfully when lacking vocabulary.</p>	<p>Produces stretches of language, but phrasing and pausing are often inappropriate. Hesitations or slowness in language processing may prevent effective communication. Fillers are sometimes distracting.</p>	<p>Comprehension is often accurate on common, concrete, and work related topics when the accent or variety used is sufficiently intelligible for an international community of users. May fail to understand a linguistic or situational complication or an unexpected turn of events.</p>	<p>Responses are sometimes immediate, appropriate, and informative. Can initiate and maintain exchanges with reasonable ease on familiar topics and in predictable situations. Generally inadequate when dealing with an unexpected turn of events.</p>
<p>Elementary 2</p>	<p>Pronunciation, stress, rhythm, and intonation are heavily influenced by the first language or regional variation and usually interfere with ease of understanding.</p>	<p>Shows only limited control of a few simple memorized grammatical structures and sentence patterns.</p>	<p>Limited vocabulary range consisting only of isolated words and memorized phrases.</p>	<p>Can produce very short, isolated, memorized utterances with frequent pausing and a distracting use of fillers to search for expressions and to articulate less familiar words.</p>	<p>Comprehension is limited to isolated, memorized phrases when they are carefully and slowly articulated.</p>	<p>Response time is slow and often inappropriate. Interaction is limited to simple routine exchanges.</p>
<p>Pre-elementary 1</p>	<p>Performs at a level below the Elementary level.</p>	<p>Performs at a level below the Elementary level.</p>	<p>Performs at a level below the Elementary level.</p>	<p>Performs at a level below the Elementary level.</p>	<p>Performs at a level below the Elementary level.</p>	<p>Performs at a level below the Elementary level.</p>

MINISTRY OF WORKS AND TRANSPORT

No. 336

2011

PROPOSED CIVIL AVIATION TECHNICAL STANDARDS NAM-CATS-FCL 64 “ENGLISH LANGUAGE PROFICIENCY RELATING TO CABIN CREW LICENSING”

Pursuant to regulation 11.03.2 of the Namibian Civil Aviation Regulations published under Government Notice No. 1 of 2 January, 2001 the chairperson of the Civil Aviation Regulations Committee 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 64 “English Language Proficiency” set out in the Schedule.

The Committee invites interested parties to comment on the proposed technical standards amendments 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 must reach the Ministry no later than 30 days from the publication of this notice and should be addressed to:

Mr. Graeme Van Niekerk
No. 4 Rudolph Street
Windhoek Namibia

Tel: (061) 702245
Fax: (061) 702244
Email: vanniekerkg@dca.com.na

P. O'BRIEN
CHAIRPERSON OF THE CIVIL
AVIATION REGULATIONS COMMITTEE

SCHEDULE**NAMIBIAN CIVIL AVIATION TECHNICAL STANDARDS NAM-CATS-FCL 64 “ENGLISH LANGUAGE PROFICIENCY RELATING TO CABIN CREW LICENSING”****1. GENERAL**

Section 22A of the Aviation Act, 1962 (Act No. 74 of 1962) as amended by section 5 of the Aviation Amendment Act, 1998 (Act No. 27 of 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 this day issued technical standards relating to English language proficiency contained in document NAM-CATS-FCL 64 ENGLISH LANGUAGE PROFICIENCY.

2. PURPOSE

Document NAM-CATS-FCL 64 contains the standards, rules, requirements, methods, specifications, characteristics and procedures which are applicable to matters contained in Part 64 of the Namibian Civil Aviation Regulations 2001. The purpose of this document is to incorporate into and give effect to Annex 1 of the Convention dealing with personnel licensing in Namibia.

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 64.01.8 refers to regulation 8 of Subpart 1 of Part 64 of the Regulations.

The abbreviation “NAMCAR” means the Namibian Civil Aviation Regulations, 2001 and is used in this document when referring to any regulation.

3. SCHEDULES AND NOTES

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

4. LIST OF TECHNICAL STANDARDS

64.01.8 LANGUAGE

1. Certification
2. English language requirements
3. Certificate of English language proficiency
4. Designated examiners for the issue of English language proficiency certificates
5. Issue of English language proficiency certificate
6. Endorsement on licence
7. Alternative language proficiency certification
8. Transitional arrangements for existing cabin crew member licences

ANNEXURES

- ANNEXURE A: REQUIREMENTS FOR PROFICIENCY IN ENGLISH LANGUAGE
ANNEXURE B: LANGUAGE PROFICIENCY RATING SCALE

Part 64.01.8 LANGUAGE

1. Certification

English language proficiency certification is a requirement for all cabin crew members licensed in terms of Part 64.

2. English language requirements

- (1) In accordance with ICAO requirements (Chapter 1.2.9 of Annex 1) flight crew shall demonstrate a minimum proficiency of at least operational level ‘4’ of both ICAO standard phraseology and plain language. As cabin crew is an essential part of the air crew on board aircraft, it is considered equally important that they are proficient in the English language in accordance with this requirement.
- (2) Cabin crew members who have not been rated at level 6 proficiency shall be tested for English language proficiency at the intervals stated below to ensure that they remain proficient at the required level:

PROFICIENCY LEVEL	PROFICIENCY TESTING INTERVAL
Level 6: Expert	Retesting not required
Level 5: Extended	Retesting required every six years
Level 4: Operational (Minimum level)	Retesting required every three years
Level 3: Pre-operational	Licence not issued/maintained

Level 2: Elementary	Licence not issued/maintained
Level 1: Pre-elementary	Licence not issued/maintained

- (3) Language proficiency requirement applies to speaking and listening proficiency only and does not address the ability to read or write in the English language.

3. Certificate of English language proficiency

- (1) A person may not be issued or re-issued with a licence referred to in Part 64 of the Namibian Civil Aviation Regulations, 2001 unless that person is in possession of a certificate of proficiency in the English language issued by an a designated language examiner pursuant to these technical standards.
- (2) A person who wishes to obtain the certificate of proficiency referred to in subparagraph (1) shall demonstrate compliance with -
- (a) the holistic descriptors described in Annexure A; and
- (b) at least operational level 4 of the language proficiency rating standard set out in Annexure B.

4. Designated language examiners for the issue of English language proficiency certificates

- (1) If the Director is satisfied that any person is capable of providing testing in the English language to the level of proficiency which meets the ICAO requirements specified in ICAO document 9835 the Director may designate that person as a designated language examiner for the purpose of English language proficiency testing.
- (2) A designated language examiner referred to in subparagraph (1) is authorised to conduct approved tests in English language proficiency and to issue certificates of proficiency in the English language.
- (3) A designated language examiner shall design the English language proficiency test in accordance with the standards set out in Annexures A and B.

Note: Additional guidance material for English language training and test development is available in ICAO Annex 1 including the Manual on Implementation of ICAO Language Proficiency Requirements ICAO document 9835 AN/453 and ICAO Circular 323 AN/185.

5. Issue of English language proficiency certificate

- (1) Any person who wishes to obtain a certificate of proficiency referred to in paragraph 3 shall contact a designated language proficiency examiner. The Director shall make the list of designated language proficiency examiners available to the public.
- (2) The designated language proficiency examiner shall conduct an approved language proficiency 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, level 5 or level 6 of the language proficiency rating standard set out in Annexure B.
- (3) A person who is issued with a certificate of proficiency which is below expert level 6 shall be re-evaluated at the intervals set out in paragraph 2(2).

- (4) A person who does not meet the ICAO level 4 proficiency requirements will be required to undergo English language training and shall be required to wait for a period of 90 days before being re-tested.
- (5) The language proficiency certificate shall contain the following:
- (a) name of the certificate, such as the English language proficiency certificate;
 - (b) name of designated language examiner;
 - (c) full names of the person tested;
 - (d) identity number or passport number of the person tested;
 - (e) licence number of the person tested;
 - (f) licence type of the person tested;
 - (g) colour identity photograph of the person tested; and
 - (h) the assessment rating for each of the required dimensions –
 - (i) pronunciation;
 - (ii) structure;
 - (iii) vocabulary;
 - (iv) fluency;
 - (v) comprehension;
 - (vi) interaction;
- (i) the overall language proficiency rating.

6. Endorsement on licence

Upon production by any licence holder of a certificate of language proficiency issued in terms paragraph 5(2) the Director shall endorse on the cabin crew licence of the certificate holder, the appropriate level of proficiency indicated on the certificate.

7. Alternative language proficiency certification

- (1) For the purposes of paragraph 6, the Director may accept a certificate of language proficiency issued by a competent authority of another Contracting State 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.
- (2) A person who can provide evidence of expert English proficiency (level 6) by means of submission of the following evidence, shall be considered for alternative language proficiency certification:
- (a) certified copy of school leavers certificate from a State where English is the first or official language, showing a B or equivalent symbol for English as a minimum;
 - (b) certified copy of school leavers certificate from a State where English is the second language, showing an A or equivalent symbol for English as a minimum;
 - (c) proof of having completed a college or university degree (at least 3 year degree) in the English language with at least 2 years English language exposure socially or at work;
 - (d) proof of extensive working experience in the English language; and

- (e) proof of very high scores in English language spoken and written tests.
- (3) All persons submitting evidence for alternative language certification shall be evaluated by the Director or a delegated personnel licensing inspector and shall be required to attend an interview.

8. Transitional arrangements for existing cabin crew member licences

- (1) Notwithstanding paragraph 3(1), any person who holds a Namibian cabin crew member licence shall be considered to have complied with the requirements of operational level 4 of the language proficiency requirements at set out in Annexure B until issue of a language proficiency rating pursuant to paragraph 5(2).
- (2) With the promulgation of NAMCAR 64.01.8 and these technical standards, existing licence holders shall be expected to obtain a language proficiency certificate within 12 months of these standards becoming effective.

ANNEXURE A - REQUIREMENTS FOR PROFICIENCY IN ENGLISH LANGUAGE

1. General

To meet the language proficiency requirements an applicant for a licence or a licence holder shall demonstrate compliance with the holistic descriptors at operational level (level 4) of the language proficiency rating scale as described in Annexure B in a manner acceptable to the Director.

2. Holistic descriptors

Proficient speakers shall -

- (a) communicate effectively in voice-only (telephone/radiotelephone) and in face-to-face situations;
- (b) communicate on common, concrete and work-related topics with accuracy and clarity;
- (c) use appropriate communicative strategies to exchange messages and to recognize and resolve misunderstandings (e.g. to check, confirm, or clarify information) in a general or work-related context;
- (d) handle successfully and with relative ease the linguistic challenges presented by a complication or unexpected turn of events that occurs within the context of a routine work situation or communicative task with which they are otherwise familiar; and
- (e) use a dialect or accent which is intelligible to the aeronautical community.

ANNEXURE B- LANGUAGE PROFICIENCY RATING SCALE

LEVEL	PRONUNCIATION Assumes a dialect and/ or accent intelligible to the aeronautical community.	STRUCTURE Relevant grammatical structures and sentence patterns are determined by language functions appropriate to the task.	VOCABULARY	FLUENCY	COMPREHENSION	INTERACTIONS
Expert 6	Pronunciation, stress, rhythm, and intonation, though possibly influenced by the first language or regional variation, almost never interfere with ease of understanding.	Both basic and complex grammatical structures and sentence patterns are consistently well controlled.	Vocabulary range and accuracy are sufficient to communicate effectively on a wide variety of familiar and unfamiliar topics. Vocabulary is idiomatic, nuanced, and sensitive to register.	Able to speak at length with a natural, effortless flow. Varies speech flow for stylistic effect, e.g. to emphasize a point. Uses appropriate discourse markers and connectors spontaneously.	Comprehension is consistently accurate in nearly all contexts and includes comprehension of linguistic and cultural subtleties.	Interacts with ease in nearly all situations. Is sensitive to verbal and non-verbal cues and responds to them appropriately.
Extended 5	Pronunciation, stress, rhythm, and intonation, though influenced by the first language or regional variation, rarely interfere with ease of understanding.	Basic grammatical structures and sentence patterns are consistently well controlled. Complex structures are attempted but with errors which sometimes interfere with meaning.	Vocabulary range and accuracy are sufficient to communicate effectively on common, concrete, and work- related topics. Paraphrases consistently and successfully. Vocabulary is sometimes idiomatic.	Able to speak at length with relative ease on familiar topics but may not vary speech flow as a stylistic device. Can make use of appropriate discourse markers or connectors.	Comprehension is accurate on common, concrete, and work related topics and mostly accurate when the speaker is confronted with a linguistic or situational complication or an unexpected turn of events. Is able to comprehend a range of speech varieties (dialect and/or accent) or registers.	Responses are immediate, appropriate, and informative. Manages the speaker/listener relationship effectively.

Operational 4	Pronunciation, stress, rhythm, and intonation are influenced by the first language or regional variation but only sometimes interfere with ease of understanding.	Basic grammatical structures and sentence patterns are used creatively and are usually well controlled. Errors may occur, particularly in unusual or unexpected circumstances, but rarely interfere with meaning.	Vocabulary range and accuracy are usually sufficient to communicate effectively on common, concrete, and work-related topics. Can often paraphrase successfully when lacking vocabulary in unusual or unexpected circumstances.	Produces stretches of language at an appropriate tempo. There may be occasional loss of fluency on transition from rehearsed or formulaic speech to spontaneous interaction, but this does not prevent effective communication. Can make limited use of discourse markers or connectors. Fillers are not distracting.	Comprehension is mostly accurate on common, concrete, and work related topics when the accent or variety used is sufficiently intelligible for an international community of users. When the speaker is confronted with a linguistic or situational complication or an unexpected turn of events, comprehension may be slower or require clarification strategies.	Responses are usually immediate, appropriate, and informative. Initiates and maintains exchanges even when dealing with an unexpected turn of events. Deals adequately with apparent misunderstandings by checking, confirming, or clarifying.
Preoperational 3	Pronunciation, stress, rhythm, and intonation are influenced by the first language or regional variation and frequently interfere with ease of understanding.	Basic grammatical structures and sentence patterns associated with predictable situations are not always well controlled. Errors frequently interfere with meaning.	Vocabulary range and accuracy are often sufficient to communicate on common, concrete, or work-related topics, but range is limited and the word choice often inappropriate. Is often unable to paraphrase successfully when lacking vocabulary.	Produces stretches of language, but phrasing and pausing are often inappropriate. Hesitations or slowness in language processing may prevent effective communication. Fillers are sometimes distracting.	Comprehension is often accurate on common, concrete, and work related topics when the accent or variety used is sufficiently intelligible for an international community of users. May fail to understand a linguistic or situational complication or an unexpected turn of events.	Responses are sometimes immediate, appropriate, and informative. Can initiate and maintain exchanges with reasonable ease on familiar topics and in predictable situations. Generally inadequate when dealing with an unexpected turn of events.
Elementary 2	Pronunciation, stress, rhythm, and intonation are heavily influenced by the first language or regional variation and usually interfere with ease of understanding.	Shows only limited control of a few simple memorized grammatical structures and sentence patterns.	Limited vocabulary range consisting only of isolated words and memorized phrases.	Can produce very short, isolated, memorized utterances with frequent pausing and a distracting use of fillers to search for expressions and to articulate less familiar words.	Comprehension is limited to isolated, memorized phrases when they are carefully and slowly articulated.	Response time is slow and often inappropriate. Interaction is limited to simple routine exchanges.
Pre-elementary 1	Performs at a level below the Elementary level.	Performs at a level below the Elementary level.	Performs at a level below the Elementary level.	Performs at a level below the Elementary level.	Performs at a level below the Elementary level.	Performs at a level below the Elementary level.

MINISTRY OF WORKS AND TRANSPORT

No. 337

2011

**PROPOSED CIVIL AVIATION TECHNICAL STANDARDS NAM-CATS-ATSPL 65
“ENGLISH LANGUAGE PROFICIENCY RELATING TO AIR TRAFFIC SERVICE
PERSONNEL LICENSING”**

Pursuant to regulation 11.03.2 of the Namibian Civil Aviation Regulations published under Government Notice No. 1 of 2 January, 2001 the chairperson of the Civil Aviation Regulations Committee 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 “English Language Proficiency” set out in the Schedule.

The Committee invites interested parties to comment on the proposed technical standards amendments 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 must reach the Ministry no later than 30 days from the publication of this notice and should be addressed to:

Mr. Graeme Van Niekerk
No. 4 Rudolph Street
Windhoek Namibia

Tel: (061) 702245
Fax: (061) 702244
Email: vanniekerkg@dca.com.na

P. O'BRIEN
CHAIRPERSON OF THE CIVIL
AVIATION REGULATIONS COMMITTEE

SCHEDULE**NAMIBIAN CIVIL AVIATION TECHNICAL STANDARDS NAM-CATS-ATSPL 65
“PROFICIENCY IN ENGLISH LANGUAGE RELATING TO AIR TRAFFIC
SERVICE PERSONNEL LICENSING”****1. GENERAL**

Section 22A of the Aviation Act, 1962 (Act No. 74 of 1962) as amended by section 5 of the Aviation Amendment Act, 1998 (Act No. 27 of 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 this day issued technical standards relating to English Language Proficiency contained in Document NAM-CATS-ATSPL 65 ENGLISH LANGUAGE PROFICIENCY.

2. PURPOSE

Document NAM-CATS-ATSPL 65 contains the standards, rules, requirements, methods, specifications, characteristics and procedures which are applicable to 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 Annex 1 of the Chicago Convention dealing with personnel licensing in Namibia.

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 65.01.18 refers to regulation 18 of Subpart 1 of Part 65 of the Regulations.

The abbreviation “NAMCAR” means the Namibian Civil Aviation Regulations, 2001 and is used in this document when referring to any regulation.

3. SCHEDULES AND NOTES

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

4. LIST OF TECHNICAL STANDARDS

65.01.8 LANGUAGE

1. Certification
2. English language requirements
3. Certificate of English language proficiency
4. Designated examiners for the issue of English language proficiency certificates
5. Issue of English language proficiency certificate
6. Endorsement on licence
7. Alternative language proficiency certification
8. Transitional arrangements for existing air traffic service personnel licences

ANNEXURES

ANNEXURE A: REQUIREMENTS FOR PROFICIENCY IN ENGLISH LANGUAGE

ANNEXURE B: LANGUAGE PROFICIENCY RATING SCALE

Part 65.01.8 LANGUAGE

1. Certification

English language proficiency certification is a requirement for all air traffic service personnel licensed in terms of Part 65.

2. English language requirements

- (1) In accordance with ICAO requirements (Chapter 1.2.9 of Annex 1) air traffic service personnel shall demonstrate a minimum proficiency of at least operational Level ‘4’ of both ICAO standard phraseology and plain language.
- (2) Air traffic service personnel who have not been rated at level 6 proficiency shall be tested for English language proficiency at the intervals stated below to ensure that they remain proficient at the required level:

PROFICIENCY LEVEL	PROFICIENCY TESTING INTERVAL
Level 6: Expert	Retesting not required
Level 5: Extended	Retesting required every six years
Level 4: Operational (Minimum level)	Retesting required every three years
Level 3: Pre-operational	Licence not issued/maintained

Level 2: Elementary	Licence not issued/maintained
Level 1: Pre-elementary	Licence not issued/maintained

- (3) Language proficiency requirement applies to speaking and listening proficiency only and does not address the ability to read or write in the English language.

3. Certificate of English language proficiency

- (1) A person may not be issued or re-issued with a licence referred to in Part 65 unless that person is in possession of a certificate of proficiency in the English language issued by an a designated language examiner pursuant to these technical standards.
- (2) A person who wishes to obtain the certificate of proficiency referred to in subparagraph (1) shall demonstrate compliance with -
- (a) the holistic descriptors described in Annexure A; and
 - (b) at least operational level 4 of the language proficiency rating standard set out in Annexure B.

4. Designated language examiners for the issue of English language proficiency certificates

- (1) If the Director is satisfied that any person is capable of providing testing in the English language to the level of proficiency which meets the ICAO requirements specified in ICAO document 9835 the Director may designate that person as a designated language examiner for the purpose of English language proficiency testing.
- (2) A designated language examiner referred to in subparagraph (1) is authorised to conduct approved tests in English language proficiency and to issue certificates of proficiency in the English language.
- (3) A designated language examiner shall design the English language proficiency test in accordance with the standards set out in Annexures A and B.

Note: Additional guidance material for English language training and test development is available in ICAO Annex 1 including the Manual on Implementation of ICAO Language Proficiency Requirements ICAO document 9835 AN/453 and ICAO Circular 323 AN/185.

5. Issue of English language proficiency certificate

- (1) Any person who wishes to obtain a certificate of proficiency referred to in paragraph 3 shall contact a designated language proficiency examiner. The Director shall make the list of designated language proficiency examiners available to the Public.
- (2) The Designated language proficiency examiner shall conduct an approved language proficiency 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, level 5 or level 6 of the language proficiency rating standard set out in Annexure B.
- (3) A person who is issued with a certificate of proficiency which is below expert level 6 shall be re-evaluated at the intervals set out in paragraph 2(2).
- (4) A person who does not meet the ICAO level 4 proficiency requirements will be required to undergo English language training and shall be required to wait for a period of 90 days before being re-tested.

- (5) The English language proficiency certificate shall contain the following:
- (a) name of the certificate, for example the English language proficiency certificate;
 - (b) name of designated language examiner;
 - (c) full names of the person tested;
 - (d) identity number or passport number of the person tested;
 - (e) licence number of the person tested;
 - (f) licence type of the person tested;
 - (g) colour identity photograph of the person tested; and
 - (h) the assessment rating for each of the required dimensions –
 - (i) pronunciation;
 - (ii) structure;
 - (iii) vocabulary;
 - (iv) fluency;
 - (v) comprehension;
 - (vi) interaction;
 - (i) the overall language proficiency rating.

6. Endorsement on Licence

Upon production by any licence holder of a certificate of language proficiency issued in terms of paragraph 5(2) the Director shall endorse on the pilot licence of the certificate holder, the appropriate level of proficiency indicated on the certificate.

5. Alternative language proficiency certification

- (1) For the purposes of paragraph 6, the Director may accept a certificate of language proficiency issued by a competent authority of another Contracting State 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.
- (2) A person who can provide evidence of expert English proficiency (level 6) by means of submission of the following evidence shall be considered for alternative language proficiency certification:
 - (a) certified copy of school leavers certificate from a State where English is the first or official language, showing a B or equivalent symbol for English as a minimum;
 - (b) certified copy of school leavers certificate from a State where English is the second language, showing a A or equivalent symbol for English as a minimum;
 - (c) proof of having completed a college or university degree (at least 3 year degree) in the English language with at least 2 years English language exposure socially or at work;
 - (d) proof of extensive working experience in the English language; and
 - (e) proof of very high scores in English language spoken and written tests.

- (3) All persons submitting evidence for alternative language certification shall be evaluated by the Director or a delegated personnel licensing inspector and shall be required to attend an interview.

8. Transitional arrangements for existing air traffic service personnel licences

- (1) Notwithstanding paragraph 3(1) any person who holds a Namibian air traffic service personnel licence shall be considered to have complied with the requirements of operational level 4 of the language proficiency requirements at set out in Annexure B until issue of a language proficiency rating pursuant to paragraph 5(2).
- (2) With the promulgation of NAMCAR 65.01.8 and these technical standards, existing licence holders shall be expected to obtain a language proficiency certificate within 90 days of these standards becoming effective.

ANNEXURE A - REQUIREMENTS FOR PROFICIENCY IN ENGLISH LANGUAGE

1. General

To meet the language proficiency requirements an applicant for a licence or a licence holder shall demonstrate compliance with the holistic descriptors at operational level (level 4) of the language proficiency rating scale as described in Annexure B in a manner acceptable to the Director.

2. Holistic descriptors

Proficient speakers shall -

- (a) communicate effectively in voice-only (telephone/radiotelephone) and in face-to-face situations;
- (b) communicate on common, concrete and work-related topics with accuracy and clarity;
- (c) use appropriate communicative strategies to exchange messages and to recognize and resolve misunderstandings (e.g. to check, confirm, or clarify information) in a general or work-related context;
- (d) handle successfully and with relative ease the linguistic challenges presented by a complication or unexpected turn of events that occurs within the context of a routine work situation or communicative task with which they are otherwise familiar; and
- (e) use a dialect or accent which is intelligible to the aeronautical community.

ANNEXURE B - LANGUAGE PROFICIENCY RATING SCALE

LEVEL	PRONUNCIATION Assumes a dialect and/ or accent intelligible to the aeronautical community.	STRUCTURE Relevant grammatical structures and sentence patterns are determined by language functions appropriate to the task.	VOCABULARY	FLUENCY	COMPREHENSION	INTERACTIONS
Expert 6	Pronunciation, stress, rhythm, and intonation, though possibly influenced by the first language or regional variation, almost never interfere with ease of understanding.	Both basic and complex grammatical structures and sentence patterns are consistently well controlled.	Vocabulary range and accuracy are sufficient to communicate effectively on a wide variety of familiar and unfamiliar topics. Vocabulary is idiomatic, nuanced, and sensitive to register.	Able to speak at length with a natural, effortless flow. Varies speech flow for stylistic effect, e.g. to emphasize a point. Uses appropriate discourse markers and connectors spontaneously.	Comprehension is consistently accurate in nearly all contexts and includes comprehension of linguistic and cultural subtleties.	Interacts with ease in nearly all situations. Is sensitive to verbal and non-verbal cues and responds to them appropriately.
Extended 5	Pronunciation, stress, rhythm, and intonation, though influenced by the first language or regional variation, rarely interfere with ease of understanding.	Basic grammatical structures and sentence patterns are consistently well controlled. Complex structures are attempted but with errors which sometimes interfere with meaning.	Vocabulary range and accuracy are sufficient to communicate effectively on common, concrete, and work- related topics. Paraphrases consistently and successfully. Vocabulary is sometimes idiomatic.	Able to speak at length with relative ease on familiar topics but may not vary speech flow as a stylistic device. Can make use of appropriate discourse markers or connectors.	Comprehension is accurate on common, concrete, and work related topics and mostly accurate when the speaker is confronted with a linguistic or situational complication or an unexpected turn of events. Is able to comprehend a range of speech varieties (dialect and/or accent) or registers.	Responses are immediate, appropriate, and informative. Manages the speaker/listener relationship effectively.

<p>Operational 4</p>	<p>Pronunciation, stress, rhythm, and intonation are influenced by the first language or regional variation but only sometimes interfere with ease of understanding.</p>	<p>Basic grammatical structures and sentence patterns are used creatively and are usually well controlled. Errors may occur, particularly in unusual or unexpected circumstances, but rarely interfere with meaning.</p>	<p>Vocabulary range and accuracy are usually sufficient to communicate effectively on common, concrete, and work-related topics. Can often paraphrase successfully when lacking vocabulary in unusual or unexpected circumstances.</p>	<p>Produces stretches of language at an appropriate tempo. There may be occasional loss of fluency on transition from rehearsed or formulaic speech to spontaneous interaction, but this does not prevent effective communication. Can make limited use of discourse markers or connectors. Fillers are not distracting.</p>	<p>Comprehension is mostly accurate on common, concrete, and work related topics when the accent or variety used is sufficiently intelligible for an international community of users. When the speaker is confronted with a linguistic or situational complication or an unexpected turn of events, comprehension may be slower or require clarification strategies.</p>	<p>Responses are usually immediate, appropriate, and informative. Initiates and maintains exchanges even when dealing with an unexpected turn of events. Deals adequately with apparent misunderstandings by checking, confirming, or clarifying.</p>
<p>Preoperational 3</p>	<p>Pronunciation, stress, rhythm, and intonation are influenced by the first language or regional variation and frequently interfere with ease of understanding.</p>	<p>Basic grammatical structures and sentence patterns associated with predictable situations are not always well controlled. Errors frequently interfere with meaning.</p>	<p>Vocabulary range and accuracy are often sufficient to communicate on common, concrete, or work-related topics, but range is limited and the word choice often inappropriate. Is often unable to paraphrase successfully when lacking vocabulary.</p>	<p>Produces stretches of language, but phrasing and pausing are often inappropriate. Hesitations or slowness in language processing may prevent effective communication. Fillers are sometimes distracting.</p>	<p>Comprehension is often accurate on common, concrete, and work related topics when the accent or variety used is sufficiently intelligible for an international community of users. May fail to understand a linguistic or situational complication or an unexpected turn of events.</p>	<p>Responses are sometimes immediate, appropriate, and informative. Can initiate and maintain exchanges with reasonable ease on familiar topics and in predictable situations. Generally inadequate when dealing with an unexpected turn of events.</p>
<p>Elementary 2</p>	<p>Pronunciation, stress, rhythm, and intonation are heavily influenced by the first language or regional variation and usually interfere with ease of understanding.</p>	<p>Shows only limited control of a few simple memorized grammatical structures and sentence patterns.</p>	<p>Limited vocabulary range consisting only of isolated words and memorized phrases.</p>	<p>Can produce very short, isolated, memorized utterances with frequent pausing and a distracting use of fillers to search for expressions and to articulate less familiar words.</p>	<p>Comprehension is limited to isolated, memorized phrases when they are carefully and slowly articulated.</p>	<p>Response time is slow and often inappropriate. Interaction is limited to simple routine exchanges.</p>
<p>Pre-elementary 1</p>	<p>Performs at a level below the Elementary level.</p>	<p>Performs at a level below the Elementary level.</p>	<p>Performs at a level below the Elementary level.</p>	<p>Performs at a level below the Elementary level.</p>	<p>Performs at a level below the Elementary level.</p>	<p>Performs at a level below the Elementary level.</p>