



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

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WINDHOEK - 15 April 2019

No. 6874

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## General Notice

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### NAMIBIA CIVIL AVIATION AUTHORITY

No. 79 2019

#### NOTICE OF PROPOSED AMENDMENTS OF NAMIBIAN CIVIL AVIATION REGULATIONS, 2001: CIVIL AVIATION ACT, 2016

Pursuant to regulation Part 3.01.3 of the Namibian Civil Aviation Regulations, 2001, as amended by Civil Aviation Regulations, 2018, (hereinafter 'the NAMCARS'), the Namibia Civil Aviation Authority ('the NCAA'), herewith announces a regulations-making process to amend various Parts of the NAMCARS and, where applicable, related Technical Standards.

Purpose and reasons: The amended regulations aim to:

- (i) ensure the compliance with ICAO Annexes through adoption of standards, and where appropriate, recommended practises (SARPS), for the Namibia Civil Aviation System pursuant to Part 10 of the Civil Aviation Act, 2016 (Act No. 6 of 2016); and
- (ii) address matters as set out in the Schedule required or permitted by the Civil Aviation Act, 2016 that are necessary or expedient to be prescribed to give effect to this Act.

The Executive Director for Civil Aviation, if satisfied and after due consideration, intends to submit the proposed amendments of the NAMCARS after consultation with the Board of the Namibia Civil Aviation Authority to the Minister of Works and Transport to make regulations in terms of sections 54 to 58 of the Civil Aviation Act, 2016 with effect from a date to be determined.

Interested persons or group of persons are invited to submit written comments/submissions/ oral submissions, or replies to comments/submissions/oral submissions, on the proposed amendments to the NAMCARS within 120 days from the date of publication of this Notice in the manner prescribed.

Document availability: As required by Regulation Part 3.01.3 detailed versions of documents listed in the Schedule are available by way for download free of charge, from the NCAA website: [www.ncaa.com.na/draft?legislation](http://www.ncaa.com.na/draft?legislation). Photocopies are available from the NCAA Registry at N\$2.00 per page.

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 2110, or email [legal@ncaa.com.na](mailto:legal@ncaa.com.na).

Comments or representations on the draft NAMCARS should be lodged in writing and should reach the NCAA no later than 120 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](mailto:legal@ncaa.com.na)

**A. SIMANA**  
**EXECUTIVE DIRECTOR FOR CIVIL AVIATION**

Windhoek, 29 March 2019

#### **“SCHEDULE**

#### **PROPOSED AMENDMENTS OF NAMIBIAN CIVIL AVIATION REGULATIONS, 2001: CIVIL AVIATION ACT, 2016”**

#### **Definitions**

1. The definitions in Part 1 are amended:

1.1 by the **substitution** of the following definition -

“the regulations” means the Namibian Civil Aviation Regulations published under Government Notice No. 1 of 2 January 2001; and also referred to as NAMCARS, 2001, and Government Notice No. 6763 of 8 November 2018; and

1.2 by the **insertion** of the following Documents:

“Document NAM-CATS 21 - Certification Procedures for Products and Parts for Aircraft Airworthiness;  
Document NAM-CATS 24 - Airworthiness Standards - Non-Type Certificated Aircraft;  
Document NAM-CATS 34 - Engine Emission Certification;  
Document NAM-CATS 36 - Noise Certification;  
Document NAM-CATS 44 - Airworthiness Standards - Non-Type Certificated Aircraft;  
Document NAM-CATS 71 - Airspace and Air Routes;  
Document NAM-CATS 101 - Remotely piloted aircraft (RPAs) and unmanned aircraft vehicles (UAVs);

Document NAM-CATS 170 - Air Navigations Services – General;  
Document NAM-CATS 171 - Aeronautical Telecommunication Services;  
Document NAM-CATS 173 - Flight Procedure Design Services;  
Document NAM-CATS 174 - Aviation Meteorological Services;

(and issued by the Executive Director in terms of section 227 of the Act)”.

#### **Amendment of table of contents to the Schedule**

2. The table of contents to the Schedule to the regulations is amended:

2.1 by the **substitution** of the following Parts under **AIRCRAFT**:

“Part 21 Aircraft: Certification Procedures for Products and Parts and Aircraft  
Airworthiness  
Part 34 Engine Emission Certification  
Part 36 Noise Certification  
Part 43 General Maintenance Rules  
Part 47 Registration and Marking”;

2.2 by the **insertion** of the following Parts under **AIRCRAFT**:

“Part 24 Airworthiness Standards: Non-Type Certificated Aircraft  
Part 44 General Maintenance Rules: Non-type Certificated Aircraft”;

2.3 Other Parts, respectively, as follows:

(a) by the **substitution** of the following Parts under **PERSONNEL**:

“Part 61 Personnel Pilot Licensing  
Part 63 Flight Engineer Licensing  
Part 64 Cabin Crew Licensing  
Part 65 ATS Personnel Licensing  
Part 66 Aircraft Maintenance Engineer Licensing  
Part 67 Medical Certification”;

(b) by the **insertion** of the following Parts under **PERSONNEL**:

“Part 60 Flight Simulator Training Devices  
Part 62 Recreational Pilot Licensing”;

(c) by the **insertion** of the following Parts under **RULES OF THE AIR AND GENERAL OPERATING RULES**:

“Part 71 Airspace and Air Routes  
Part 91 General Operating Flight Rules”;

(d) by the **substitution** of the following Parts under **RULES OF THE AIR AND GENERAL OPERATING RULES**:

“Part 94 Operation of Non-type Certificated Aircraft  
Part 96 Commercial of Non-type Certificated Aircraft  
Part 101 Remotely piloted aircraft (RPAs) and unmanned aircraft vehicles (UAVs)”;

- (e) by the **substitution** of the following Parts under **CERTIFICATED AIRCRAFT and OTHER FLIGHT OPERATIONS**:
- “Part 121                      Air Transport Operations – Large Aircraft  
Part 127                      Air Transport Operations – Helicopters  
Part 135                      Air Transport Operations – Small aircraft”;
- (f) by the **substitution** of the following Parts under **ORGANISATIONS**:
- “Part 141                      Aviation Training Organisations  
Part 145                      Aircraft Maintenance Organisation  
Part 147                      Design Organisations  
Part 148                      Manufacturing Organisations”;
- (g) by the **deletion** of the designation “**AIR TRAFFIC SERVICES**” and **substitution** with the designation “**AIR NAVIGATION SERVICES**”
- (h) by the **insertion** of the following Parts under **AIR NAVIGATION SERVICES**:
- “Part 170                      Air Navigations Services - General  
Part 171                      Aeronautical Telecommunication Services”;
- (i) by the **substitution** of the following Part under **AIR NAVIGATION SERVICES**:
- “Part 172                      Air Traffic Services”;
- (j) by the **insertion** of the following Part under **AIR NAVIGATION SERVICES**:
- “Part 173                      Flight Procedure Design Services”;
- (k) by the **substitution** of the following Parts under “**AERONAUTICAL INFORMATION AND RELATED SERVICES**”:
- “Part 174                      Aviation Meteorological Services  
Part 175                      Aeronautical Information Services  
Part 179                      Search and Rescue Services”;

### **Technical Standards**

3. The Executive Director has issued, amended and withdrawn technical standards for civil aviation for purposes of consultation as required by regulation 3.02.1, similar in designation to each of the draft regulations, respectively, set out in this Schedule.
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