



# **NAMIBIAN CIVIL AVIATION AUTHORITY**

Advisory Pamphlet (AP)

FSS-SPQ-AP 1/1/2/4/1-4

01/2022

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**GUIDANCE ON THE DEVELOPMENT OF A STATEMENT OF COMPLIANCE**



**Advisory Pamphlets (AP) system.**

1. The Namibian Civil Aviation Authority (NCAA) issues Advisory Pamphlets in accordance with NAMCAR 2018, Part 3, regulation 3.04.4 to advise the aviation public in a systematic way of non-regulatory material and acceptable means of compliance. Unless incorporated into a regulation by reference, the contents of an advisory pamphlet are non-binding on the public. Advisory pamphlets are issued in a numbered-subject system corresponding to the subject areas of the approved NCAA File Plan.
2. Advisory Pamphlets are intended to provide information and guidance to illustrate a means but not necessarily the only means of complying with the Regulations, or to explain certain Regulatory requirements by providing interpretative and explanatory material. Where an AP is referred to in a 'Note' below the regulation, the AP remains as guidance material.
3. APs should always be read in conjunction with the referenced regulations.
4. Statement of Compliance is set out in the Schedule attached hereto.
5. Advisory pamphlets may also be accessed at <https://www.ncaa.com.na>. Advisory pamphlets may be reproduced in their entirety or in part without permission from the Civil Aviation Authority. Any queries on the content herein should be addressed to [info@ncaa.na](mailto:info@ncaa.na) for forwarding to the relevant department.

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Interim Executive Director of Civil Aviation





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## SCHEDULE: STATEMENT OF COMPLIANCE

### 2. APPLICABILITY

This Advisory Pamphlet (AP) is applicable to all aviation certificate holders, including air operators, aviation maintenance organisations, aviation training organisations, aerodrome operators, and air navigation services providers.

### 3. PURPOSE

This AP serves to provide guidance to air operators, maintenance organisations, aviation training organisations, aerodrome operators, and air navigation services providers on how to prepare a Statement of Compliance.

The Statement of Compliance is a supplement to all organisation manuals that are required to be submitted by the NAMCARs as part of the **Five-Phase Certification Process**. These are the manuals that define the organisation administration structure, activities, management team, technical personnel, equipment, tools, facilities, capabilities, technical operations procedures and guidelines.

### 4. REGULATORY REFERENCE

The issuance of this AP is necessitated by the following Regulations:

- Air Operators: NAMCAR Part 91, 121, 127 and 135;
- Aerodrome Operators: NAMCAR Part 139;
- Aviation Maintenance Organizations: NAMCAR Part 43 and 145;
- Aviation Training Organisations: NAMCAR Part 141;
- Air Navigation Service Providers: NAMCAR Part 171, 172, 173, 174, 175 and 179;
- All service providers: NAMCAR Part 140;
- Design organisations for products, parts, and appliances: Part 147;
- Manufacturing organisations: Part 148
- Aviation recreation organisations: Part 149

### 5. STATEMENT OF COMPLIANCE

The initial Statement of Compliance is prepared by the operator/service provider and submitted to the Authority during the formal application Phase of the five-phase certification process, indicating how all the relevant applicable Regulations to the proposed operations have been addressed in the manual system. A final Statement of Compliance is issued by the operator/service provider at the end of the document evaluation phase once all documents have been approved and findings closed.

The Statement of Compliance serves the following two purposes:

- a. It ensures that the applicant has adequately addressed all regulatory requirements applicable to the proposed operation.



- b. It aids the certification team in determining where the regulatory requirements have been addressed in the applicant's manuals, programs, and procedures.

In evaluating the applicant's Statement of Compliance, the certification team may find it helpful to compare (in a side-by-side manner) the NAMCARs, the applicant's manuals, and the Statement of Compliance. The Statement of Compliance documents how the applicant intends to comply with each applicable regulation.

If the applicant's Statement of Compliance does not serve the preceding purposes, the deficient areas will be communicated to the applicant, and the document will be returned for revision.

The statement is normally in the form of a complete list of all the pertinent sections and sub-parts of the relevant regulations, e.g., AMO, AOC, Airworthiness, PEL, AGA, ANS Regulations as the case may be. The final statement of compliance must be signed by the accountable manager of the applying organisation and, once accepted, by the inspector reviewing the document and the Senior Manager of the processing department and a copy thereof shall be retained in the applicant's certification file.

### **5.1 The Initial Statement of Compliance:**

This is submitted together with the formal application for organisation and/or manual approval. It aids the certification team in determining where the regulatory requirements have been addressed in the applicant's manual, program, and procedures, it also helps to ensure that they have all been adequately addressed.

As illustrated in Appendix A of the example of a compliance statement, the format shall include the Regulation number, the regulation subject, an indication of whether the Regulation is applicable or not, the relevant manual chapter, section, sub-section, and page where the Regulation application has been addressed and/or a brief description of the method of compliance.

The initial statement of compliance (and later the final statement) provides the only written evidence that the applicant is aware of all the Regulations applicable to their operation and understand how to appropriately apply them.

If at the time of submitting the initial statement of compliance (Formal Application Phase) some of the required methods of compliance have not been developed, the applicant may state that compliance information will be provided in the final statement. However, if it shows total lack of knowledge and understanding of the Regulations the application package should be rejected. A compliance statement response such as "Will Comply" is not acceptable.

### **5.2 Final Statement of Compliance.**

The receiving department senior manager or certification team leader must complete a cursory review of the Statement of Compliance within 10 working days of receipt to determine that it complies with the form and content and that the applicant has proceeded in an appropriate manner. The Statement of Compliance will be given a detailed review later in the certification process.

It is important to observe that the demonstration and inspection phase must not be conducted until the final statement of compliance has been submitted and the certification team is satisfied that all applicable regulatory aspects have been appropriately addressed.



**Namibia Civil Aviation Authority -  
Safety Division**

**ADVISORY PAMPHLET  
Statement of Compliance**

The Statement of Compliance is an important source document during the certification process. After the certification process is completed, the Statement of Compliance should be kept current as changes are incorporated in the applicant's system.



## Appendix A

Departments should customize the below template to their own departmental forms, e.g. FSS-OPS-FORM-602-## (AIR/PEL/ANSSO etc)

### STATEMENT OF COMPLIANCE

#### Notes for completion of the Statement of compliance:

1. The Statement of Compliance has 6 columns.
2. The specific NAMCAR Requirement paragraph number shall be listed in Column 1.
3. The wording and, where necessary, sub-paragraph of the requirement is provided in Column 2.
4. Column 3 is for the operator to indicate whether the Regulation is applicable or not to their operations.
5. Column 4 provides space for the service provider to insert the specific manual, page and paragraph that provides a method for meeting the NAMCAR requirement.
6. Column 5 provides space for the air operator to comment on their methods of meeting the requirement
7. Column 6 provides for the NCAA evaluation. Specific NCAA comments may be inserted in this section, beginning with the annotation of the Namibian CAR reference, such as “121.03.1 (1)(g) – The air operator’s method does not provide for this check to be inserted in the flight preparation documents.” These comments will be summarized and provided to the operator.
8. Columns 1, 2 and 6 must be completed by the regulator and the remainder by the service provider.

**NAMCAR PART [ [insert the applicable regulation number](#) ] & NAMCATS PART [ [insert applicable technical standard number with the name of the department](#) ]**

NAMCAR /NAMCATs REF	Regulation Subject	Applicability Of the Regulation	Manual Chapter, Section, and page number	Method of Compliance/ or alternate means of compliance	DEPARTMENT COMMENT/STATUS
<b>135.10.1</b>	<b>General</b> (1) This Subpart prescribes the aeroplane maintenance requirements for compliance with the air operator certificate				



Namibia Civil Aviation Authority -  
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ADVISORY PAMPHLET  
Statement of Compliance

	<p>requirements prescribed in Subpart 6.</p> <p>(2) The operator of a small aeroplane shall not operate the aeroplane unless such aeroplane is maintained and released to service by an aircraft maintenance organisation approved in terms of Part 145.</p>				
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*Cells and column to be inserted as required*

*I confirm the above is a true reflection of the company's compliance with the NAMCAR \_\_\_\_\_:*

\_\_\_\_\_  
*Senior Accountable Manager (Name)*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

*I have reviewed the documents referenced and confirm the company's compliance statement is acceptable:*

\_\_\_\_\_  
*Inspector Completing Review / Certification Project Manager (Name)*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

*The company's compliance statement is hereby accepted:*

\_\_\_\_\_  
*Senior Manager of Department (Name)*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*