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CLARIFICATION OF THE REGULATIONS PERTAINING TO THE VALIDITY OF NAMIBIAN PILOT LICENSES

1. PURPOSE

The NCAA has received several enquiries regarding the validity period of pilot licenses. This AIC provides clarity on the validity period of licenses and furthermore explains options available to pilot license holders whose ratings, medical and competencies have expired.

2. DOES A PILOT LICENSE EXPIRE OR NOT?

2.1 First and foremost, in terms of Namibia Civil Aviation Regulations (NAMCARs), Part 61 thereof, there is a clear distinction between an applicant for a pilot license and a holder of a pilot license, this is evident in the way that the regulations have been written.

2.2 Under the previous regulation, NAMCAR Part 61.07.8, the validity period of a pilot license was valid indefinitely, provided the pilot met certain specified conditions outlined in the regulations.

2.3 Under the current regulation on the validity of pilot license, NAMCARs, Part 61.07.5, the license is valid subject to the pilot meeting certain conditions stipulated thereunder. This regulation does not state that the license is valid indefinitely nor does it state that the license expires.

2.4 From the two regulatory provisions cited above, it is clear that the validity of a license whether indefinitely or not is subject to certain conditions being met by a pilot.

2.5 Furthermore, from the reading of NAMCARs Parts 61.03.8; 61.05.8; 61.07.8 is it clear that once a pilot license is acquired it is recognized, and the license holder is subjected to different treatment than an applicant (for initial pilot license). For example, once the rating held by a pilot expires, the holder of the license is not required to apply for a license anew, but rather for purposes of aviation safety is required to undertake certain actions to regain the rating, which is fair and reasonable in the aviation environment.

NB. In light of the explanations above, a **pilot license does not expire**, however the privileges accorded to the license holder may only be enjoyed if the pilot meets the conditions (medicals, ratings, and maintains the necessary competencies) under which the license was issued.

3. REQUIREMENTS FOR VARIOUS LICENSES, VALIDITY, MAINTENANCE OF COMPETENCY AND REVALIDATION OF INSTRUMENT RATINGS

Applicants and pilot license holders must familiarize themselves with the regulatory requirements applicable to their respective licenses. The regulatory requirements are listed below for each license. The regulatory provisions below have been copied verbatim from NAMCARs Part 61.

3.1 NAMCAR 61.03.1 REQUIREMENTS FOR PRIVATE PILOT LICENSE (AEROPLANE)

The applicant for a Private Pilot License (Aeroplane) must have completed not less than 40 hours of flight time with an approved ATO as a pilot of an aeroplane, of which:

- (a) At least 25 hours are dual instruction in aeroplanes, which must include five hours instrument instruction time;
- (b) At least 10 hours are accumulated in solo flight, of which at least 5 hours are cross-country flight time, which must include one triangular cross-country flight of at least 150 NM, on which at least one point must be not less than 50 NM from base and must include full-stop landings at two different aerodromes away from base; and
- (c) A maximum of five hours dual instruction time may be accumulated in an approved FSTD.

3.2 NAMCAR 61.03.5 PERIOD OF VALIDITY OF PRIVATE PILOT LICENSE (AEROPLANE)

A Private Pilot License (Aeroplane) is valid subject to the following conditions:

- (a) The license is accompanied by a valid medical certificate as prescribed in regulation 61.03.01;
- (b) The holder complies with the maintenance of competency in terms of regulation 61.03.8 annually;
- (c) The holder pays the currency fee referred to in regulation 61.01.28 and certified copies of the last three pages of the logbook containing entries indicating a record of flight times, an annual summary indicating flight time per category, class, type and total time as well as certified copies of any endorsements entered into the logbook in the preceding 12 months.

3.3 NAMCAR 61.03.8 MAINTENANCE OF COMPETENCY (PPL)

The holder of a Private Pilot License (Aeroplane) who has not maintained competency by passing an initial license skills test or a revalidation check in the same category of aircraft within the 12 months following initial issue or 24 months following the revalidation of such license must comply with the following requirements:

- (a) In the case of a holder of a private pilot license where the maintenance of competency has lapsed by less than 36 months, the license holder is required to:
 - (i) Undergo a minimum of one period of dual flight instruction; and
 - (ii) Pass a revalidation check in the same category of aircraft.

(b) In the case of a holder of a private pilot license where the maintenance of competency

has lapsed by more than 36 months, the license holder is required to:

- (i) Rewrite the air law examination;
- (ii) Undertake sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check and meet the recency requirements to act as PIC; and
- (iii) Pass an initial license skills test in the same category of aircraft.

3.4 NAMCAR 61.05.1 REQUIREMENT FOR COMMERCIAL PILOT LICENSE (AEROPLANE)

An applicant for the issue of a Commercial Pilot License (Aeroplane) must have completed not less than:

- (a) 200 hours of flight time, which may include 20 hours of flight instruction time in a FSTD approved for this purpose; or
- (b) 150 hours of flight time, if he or she has successfully completed the integrated training referred to in regulation 61.01.25

3.5 NAMCAR 61.05.8 MAINTENANCE OF COMPETENCY CPL

The holder of a Commercial Pilot License (Aeroplane) who has not maintained his or her class or type rating by passing a revalidation check or an initial license skills test in the same category of aircraft within the 12 months following the issue or revalidation of such license or rating must comply with the following requirements:

(a) In the case of a holder of a commercial pilot license where the maintenance of a class or type rating has lapsed by less than 24 months, the license holder is required to:

- (i) Undergo a minimum of one period of dual flight instruction, and
- (ii) Pass a revalidation check in the same category of aircraft;

(b) In the case where the maintenance of competency has lapsed by more than 24 months, but less than 36 months, he or she must -

- (i) Undergo a minimum of two periods of dual training of not less than one hour;
- (ii) Pass a proficiency check;

(c) In the case of a holder of a commercial pilot license where the maintenance of a class or type rating has lapsed by more than 36 months, the license holder is required to:

- (i) Rewrite the air law examination;
- (ii) Undergo sufficient ground and flight training at an approved ATO, to reach the standard required for the revalidation check of a Commercial Pilot license (Aeroplane), and meet the recency requirements to act as pilot-in command (PIC); and
- (iii) Pass an initial license skills test in the same category of aircraft.

3.6 NAMCAR 61.07.1 REQUIREMENTS FOR AIRLINE TRANSPORT PILOT LICENSE (AEROPLANE)

An applicant for the issue of an Airline Transport Pilot License (Aeroplane) must have completed, in aeroplanes, not less than 1500 hours of flight time, of which -

- (a) 500 hours must be pilot-in-command-under-supervision; or
- (b) 250 hours must be as pilot-in-command of which up to 150 hours may be pilot-in-command-under-supervision; and
- (c) 200 hours must be cross-country flight time, of which 100 hours may be as co-pilot or as pilot-in-command-under-supervision;
- (d) 75 hours must be instrument time, of which not more than 30 hours may be acquired in a FSTD approved for this purpose;
- (e) 100 hours must be night flight time as pilot-in-command; and
- (f) Not more than 100 hours of the total flight time may be acquired in an approved FSTD

3.7 NAMCAR 61.07.5 PERIOD OF VALIDITY (ATPL)

An Airline Transport Pilot License (Aeroplane) is valid subject to the condition that:

- (a) The license is accompanied by a valid Class 1 medical certificate as prescribed by regulation 61.07.1;
- (b) The license holder complies with the maintenance of competency in terms of regulation 61.07.8 annually; and
- (c) The license holder pays the currency fee prescribed in regulation 61.01.28 accompanied by certified copies of the last three pages of the logbook containing entries indicating a record of flight times, an annual summary indicating flight time per category, class, type and total time as well as certified copies of any endorsements entered into the logbook in the preceding 12 months, as required in sub-regulation (1) of regulation 61.01.6.

3.8 NAMCAR 61.07.8 MAINTENANCE OF COMPETENCY (ATPL)

- (1) The holder of an Airline Transport Pilot License (Aeroplane) must undergo a revalidation check within a period of 12 months from the date of issue or the date of revalidation.
- (2) The revalidation check referred to in sub-regulation (1) must be completed within 90 days prior to expiry of the class or type rating of the license.
- (3) The holder of an Airline Transport Pilot License (Aeroplane) may not act as pilot-in-command of an aeroplane transporting passengers by day, unless he or she has, within the 90 days immediately preceding the flight executed not less than three take-offs and three landings in an aeroplane of the same type or a similar type or in an approved FSTD.
- (4) The holder of an Airline Transport Pilot License (Aeroplane) who has not maintained competency by passing a revalidation check or an initial license skills test in the same category of aircraft within the 12 months following the issue or revalidation of such license must comply with the following requirements:

(a) In the case of a holder of an Airline Transport Pilot License where the maintenance of competency has lapsed by less than 36 months, the license holder is required to:

- (i) Undergo a minimum of one period of dual flight instruction; and
- (ii) Pass a revalidation check in the same category of aircraft.

(b) In the case of a holder of an Airline Transport Pilot License where the maintenance of competency has lapsed by more than 36 months, the license holder is required to:

- (i) Rewrite the air law and operational procedures examination;
- (ii) Undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of a ATPL (Aeroplane), and meet the recency requirements to act as PIC; and
- (iii) Pass an initial license skills test in the same category of aircraft

3.9 NAMCAR 61.18.8 REVALIDATION (INSTRUMENT RATING)

(1) An Instrument Rating is valid for a period of 12 months calculated from:

- (a) The date of revalidation, where the rating is revalidated more than 90 days prior to expiry; or
- (b) The beginning of the month following the date of expiry of the rating, where the rating is revalidated 90 days or less prior to expiry.

(2) To revalidate an Instrument Rating the following must be done:

(a) If the validation period has not lapsed or has lapsed for a period not exceeding 36 months, the applicant must pass a proficiency check with a Designated Flight Examiner, as set out in Document NAM-CATS-FCL 61, in an aircraft appropriate to the particular Instrument Rating being revalidated;

(b) If the validity of the Instrument Rating has lapsed for more than 36 months the applicant must:

- (i) Re-write the air law and operational procedures theoretical knowledge examinations as listed in Document NAM-CATS FCL 61;
- (ii) Acquire, in an aircraft appropriate to the particular Instrument Rating, or in a FSTD, at least 10 hours instrument time, including at least 5 instrument approach procedures and a missed approach; and
- (iii) Within 90 days of having acquired the instrument time, pass a proficiency check with a Designated Flight Examiner, as set out in Document NAM-CATS-FCL 61, in an aircraft or FSTD of the category appropriate to the particular Instrument Rating being revalidated.

4. SUMMARY

Lapse of Maintenance of Competency to enjoy privileges of a license has been summarised below for convenience:

License Type	Lapse Period	Actions to Revalidate
PPL (class rating renewal 12 months from initial and 24 months thereafter)	Less than 36 months	(i) undergo a minimum of one period of dual flight instruction; and (ii) pass a revalidation check in the same category of aircraft.
	More than 36 months	(i) rewrite the air law examination; (In addition to that required for less than 36 months)
CPL (type rating renewal 12 monthly)	Less than 24 months	(i) undergo a minimum of one period of dual flight instruction, and (ii) pass a revalidation check in the same category of aircraft;
	More than 24 months but less than 36 months	(i) undergo a minimum of two periods of dual training of not less than one hour; (ii) pass a proficiency check;
	More than 36 months	(i) rewrite the air law examination; (ii) undergo sufficient ground and flight training at an approved ATO, to reach the standard required for the revalidation check of a Commercial Pilot license (Aeroplane), and meet the recency requirements to act as pilot-in command (PIC); and (iii) Pass an initial license skills test in the same category of aircraft.
ATPL (skills test every 12 months)	Less than 36 months	(i) undergo a minimum of one period of dual flight instruction; and (ii) pass a revalidation check in the same category of aircraft.
	More than 36 months	(i) rewrite the air law and operational procedures examination; (ii) undergo sufficient ground and flight training at an approved ATO to reach the standard required for the revalidation check of an ATPL (Aeroplane), and meet the recency requirements to act as PIC; and (iii) pass an initial license skills test in the same category of aircraft
Instrument Rating (required to maintain the competency of an ATPL, skills test required 12 monthly)	Less than 36 months	pass a proficiency check with a Designated Flight Examiner, as set out in Document NAM-CATS-FCL 61
	More than 36 months	(i) re-write the air law and operational procedures theoretical knowledge examinations as listed in Document NAM-CATS FCL 61; (ii) acquire, in an aircraft appropriate to the particular Instrument Rating, or in a FSTD, at least 10 hours instrument time, including at least 5 instrument approach procedures and a missed approach; and (iii) within 90 days of having acquired the instrument time, pass a proficiency check with a Designated Flight Examiner, as set out in Document NAM-CATS-FCL 61, in an aircraft or FSTD of the category appropriate to the particular Instrument Rating being revalidated.

5. GLOSSARY

- 5.1 ATO – Aviation Training Organization
- 5.2 PIC – Pilot In Command
- 5.3 FSTD – Flight Simulator Training Device

6. CONCLUSION

If the initial criteria for the respective licenses have not been met, the license will be invalid. The additional requirements that must be fulfilled before exercising the privileges of the forementioned licenses are as outlined in the above regulations.

All industry stakeholders are urged to familiarise themselves with and strictly adhere to the regulations mentioned above.

For enquiries, please contact the PEL office at +264 83 235 2485 or licensing@ncaa.na.