



Namibia Civil Aviation Authority

Aviation Directive

Reference Number: 1/2/3-8

Flight Operations

August 2021

**REQUIREMENTS FOR RESPONSIBLE PERSONS FOR
AN AIR OPERATOR CERTIFICATE HOLDER**



1. Legal Authority

Pursuant to Section 38 (6) of the Civil Aviation Act 2016. (Act no of 2016 – hereinafter “the Act”) the Executive Director may issue a permission, approval or procedure, or the imposition of a condition, restriction, or prohibition which the Executive Director believes on reasonable grounds to be:

- (a) consistent with the objectives of applicable regulatory requirements, procedures, or documents: and
- (b) necessary and expedient to better achieve the objects of the Act.

2. Background

- 2.1. Part 121.06.3, 127.06.3, and 135.06.3, require AOC holders to engage, employ, or contract “competent persons” in positions of flight operations, ground operations, quality, crew training, and maintenance. In addition, Part 140.03.2 requires that a safety manager be appointed.
- 2.2. This directive aims to qualify the requirements for a competent person in terms of the regulations by specific minimum qualification and experience requirements.

3. Purpose

- 3.1 Nominated persons for the roles specified in paragraph 2.1 are expected to satisfy the NCAA that they possess the appropriate experience and qualifications and be in good standing with the NCAA. The purpose of this directive is to define minimum requirements in terms of competent persons.

4. Applicability/Issued To

This Directive applies to all Air Operator Certificate holders.

5. Requirements

- 5.1. All nominated persons should possess practical experience and expertise in the application of aviation safety standards and safe operating practices:



5.1.1. All nominated persons shall have a comprehensive knowledge of:

- 5.1.1.1. The applicable Namibian safety regulations and any associated requirements and procedures;
- 5.1.1.2. The AOC holder's Operations Specifications;
- 5.1.1.3. The AOC holder's operations manual and manual system; and
- 5.1.1.4. The NAMCARs and NAMCATS.

5.1.2. All nominated persons shall have a familiarity with aviation management systems.

5.1.3. All nominated persons shall have 5 years relevant work experience of which at least two should be in the aviation industry.

5.2. Specific requirements for nominated persons:

The following paragraphs specify the requirements for nominated responsible persons fulfilling the positions specified in 2.1 by the AOC Holder.

5.2.1. The person responsible flight operations shall:

5.2.1.1. For large aircraft:

- 5.2.1.1.1. Be a pilot with extensive aviation experience, exceeding 10 years and hold or have held an ATPL; or
- 5.2.1.1.2. Be a qualified dispatcher on the relevant aircraft types with 15 years aviation experience; or
- 5.2.1.1.3. Have more than 15 years' experience in a flight operations role and have completed a CAA recognised flight operations management course; or

5.2.1.2. For small aircraft:

- 5.2.1.2.1. Be a pilot with more than 5 years' experience and hold or have held a CPL; or
- 5.2.1.2.2. Be a qualified dispatcher on the relevant aircraft types with 5 years' experience; or
- 5.2.1.2.3. Have more than 5 years' experience in a flight operations role and have completed a CAA recognised flight operations management course; and

5.2.1.3. For small and large aircraft:

- 5.2.1.3.1. Have a knowledge of the operational requirements of the relevant type(s) of aircraft.

5.2.2. The person responsible for quality assurance management shall:

- 5.2.2.1. Have 3 years relevant experience in a quality or safety department in an aviation organization;
- 5.2.2.2. Have completed a CAA recognised quality course: and
- 5.2.2.3. Have a knowledge of the relevant types of aircraft.

5.2.3. The person responsible for flight safety management shall:

- 5.2.3.1. Have a commercial pilot's license for at least 3 years; or
- 5.2.3.2. Have 3 years' experience in a flight safety department; and
- 5.2.3.3. Have completed a CAA recognised safety manager's course.



5.2.4. The person responsible ground operations shall:

- 5.2.4.1. Have held a relevant aviation document; or
- 5.2.4.2. Be a qualified flight dispatcher on the relevant aircraft types; or
- 5.2.4.3. Have 3 years ground handling experience and have completed a training course in ground operations; and
- 5.2.4.4. Have a knowledge of the ground operational requirements of the relevant types of aircraft.

5.2.5. The person responsible crew training shall:

- 5.2.5.1. For large aircraft hold or have held an instructor rating on at least one type or class operated on the AOC; or
- 5.2.5.2. For small aircraft be a pilot with 5 years aviation experience as a flight crew member; and
- 5.2.5.3. Have a thorough knowledge of the AOC holder's training concepts for crew and operational staff.

5.2.6. The person responsible aircraft maintenance shall:

- 5.2.6.1. Have a relevant engineering degree; or
- 5.2.6.2. Hold or have held an aircraft maintenance engineer license with ratings on the aircraft types of the concerned AOC; or
- 5.2.6.3. Be a commercial pilot with more than 5 years aviation experience related to aircraft Maintenance; and
- 5.2.6.4. Have a thorough knowledge of the maintenance control system; and
- 5.2.6.5. Have knowledge of the relevant types of aircraft equivalent to a General Familiarisation Course offered by an Original Equipment Manufacturer.

5.2.7. Holding more than one position:

The acceptability of a single person holding several positions will depend on the nature and scale of the operation.

Points to be considered in combining posts:

- 5.2.7.1. Candidates must be fully competent in all the nominations the operator applies for.
- 5.2.7.2. An individual's responsibility to meet his/her obligations shall be considered.
- 5.2.7.3. Each operator shall declare minimum working hours for each nomination and present the working hours to the NCAA with the application.
- 5.2.7.4. The candidate shall declare other working hours, e.g., consulting, in writing to the NCAA;
 - 5.2.7.4.1. The sum of the working hours shall not exceed 40 hours per week;
 - 5.2.7.4.2. 50% Of the working time is spent on site;
 - 5.2.7.4.3. Not less than 50% of a normal working week is spent in the nominated positions.
- 5.2.7.5. The positions of person responsible quality and person responsible safety may be combined.
- 5.2.7.6. For small aircraft operations, flight and ground operations may be considered as one Position.
- 5.2.7.7. For small aircraft operations, safety and security may be considered as one position.

5.2.8. Holding nomination in more than one AOC holder:



A person appointed as a responsible person by the holder of an AOC must not be appointed as a responsible person by the holder of another AOC unless acceptable to the NCAA.

Holding a responsible post in more than one AOC will be considered for review under the following circumstances:

- 5.2.8.1. The operator has arrangements to ensure continuity of supervision in the absence of responsible persons by having a specified deputy under the mentorship of the responsible person.
- 5.2.8.2. Persons nominated as responsible persons must be contracted to work sufficient hours to fulfill the management functions associated with the scale and scope of the operation.
- 5.2.8.3. Each operator shall declare minimum working hours for each nomination and present the working hours to the NCAA with the application.
- 5.2.8.4. The candidate shall declare other working hours, e.g., consulting, other posts in writing to the NCAA.
 - 5.2.8.4.1. The sum of the working hours shall not exceed 40 hours per week;
 - 5.2.8.4.2. 50% Of the working time is spent on site;
 - 5.2.8.4.3. No more than one position in each company may be held.
- 5.2.8.5. A person accepted for a responsible person position in one AOC is not automatically acceptable for the same position with another AOC holder. Acceptance is always dependent on a full selection process.

5.3. Application

- 5.3.1 The AOC holder shall submit a formal request for acceptance of the nominated responsible person. The request shall contain:
 - 5.3.1.1. An application letter addressed to the Executive Director.
 - 5.3.1.2. The candidate's detailed CV.
 - 5.3.1.3. Certified copies of applicable diplomas, certificates, and other documents to support the application.
 - 5.3.1.4. Any other documents proving the applicant's experience or expertise.
 - 5.3.1.5. A declaration by the operator of the applicant's weekly working hours and a letter accepting the working hours by the candidate.
 - 5.3.1.6. A detailed job description of the applicable position from the operations manual.

5.4. NCAA Acceptance

- 5.4.1 NCAA acceptance will be based on:
 - 5.4.1.1. Fulfilling the basic and specific requirements detailed herein, by way of evaluation of the received documents.
 - 5.4.1.2. The conduct of a successful interview to determine suitability and understanding of the role, duties, and responsibilities of the responsible position.
- 5.4.2. If the candidate satisfies all the requirements and the Executive Director accepts that he/she is suitable candidate, the NCAA will notify the senior accountable manager in writing of the acceptance, and the



operator shall submit revisions of the applicable manuals with the new names.

- 5.4.2.1. Notwithstanding the above, acceptance can be revoked or recalled should the candidate fail to meet the performance requirements stipulated in the NAMCARs or the relevant operations manual.

5.5. NCAA non-acceptance

5.5.1. NCAA non-acceptance will be based on:

- 5.5.1.1. If the candidate does not satisfy all the requirements and the NCAA decides that he/she is not a suitable candidate;
- 5.5.1.2. If the conduct of the interview is unsuccessful;

5.5.2. The NCAA shall notify the senior accountable manager in writing of the non-acceptance.

5.5.3. The specific candidate will not be allowed to reapply for a period of 6 calendar months from the date of the letter of rejection.

5.6. Exemptions

5.6.1. In particular cases, and exceptionally, the NCAA may accept a nomination which does not meet the requirements in full but, in this circumstance, the nominee should be able to demonstrate acceptance, by means such as undergoing a mentorship program, which the NCAA will accept as being comparable to the experience required and also the ability to perform effectively the functions associated with the nomination and with the scale of the operation.

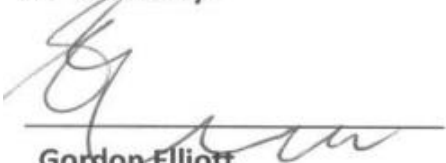
5.6.2. The applicant may submit, in exceptional cases, a notice for exemption from this directive. Application for exemptions shall be made in terms of NAMCAR Part 3 Subpart 3.

6. Effective Date

The Directive shall be in effect from 30th August 2021 and shall remain in effect until superseded by amendment or withdrawn.

For further guidance, please contact email sos.ops@ncaa.com.na.

7. Issued By:


Gordon Elliott
INTERIM EXECUTIVE DIRECTOR

DATE: _____

