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NAMCAR: PART 94

OPERATION OF NON-TYPE CERTIFICATED AIRCRAFT

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SUBPART 1: GENERAL PROVISIONS

94.01.1 Applicability

- (1) This Part applies to -
 - (a) non-type certificated aircraft operated within Namibia;
 - (b) non-type certificated aircraft registered in Namibia;
 - (c) persons acting as flight crew members of non-type certificated aircraft registered in Namibia; and
 - (d) persons who are on board a non-type certificated aircraft operated in terms of this Part.
- (2) The provisions of the various other Parts of these regulations shall apply with the necessary changes to any non-type certificated aircraft unless specifically exempted by the provisions of this Part.
- (3) Non-type certificated aircraft operated in terms of this Part is prohibited from providing a commercial air transport operation.
- (4) Although flight training is not considered to be a commercial air transport operation, any non-type certificate aircraft used in Part 61 flight training shall be operated in terms of Part 96.
- (5) Notwithstanding the provisions of subregulations (3) and (4), non-type certificated aircraft operated in terms of this Part may be used for the training of its registered owner if such training is provided by an ATO approved in terms of Part 141.
- (6) Subregulation (5) does not apply in respect of a conversion training contemplated in sub-regulations (14) and (15) of Regulation 24.02.3.
- (7) For purposes of the provisions of subregulation (5) a registered owner of an aircraft shall include any person with a beneficial ownership interest of 25% or more in an aircraft, and an immediate family member of such person.

94.01.2 Authority to fly

- (1) No person shall operate a non-type certificated aircraft unless -
 - (a) in the case of aircraft classified in the paragraphs (a) to (g) of sub-regulation 24.01.1(2) for such aircraft an authority to fly or proving flight authority has been issued in terms of these Regulations;
 - (b) the aircraft is in an airworthy condition; and
 - (c) the PIC is the holder of a valid pilot licence with the appropriate rating for the particular category and type of non-type certificated aircraft.
- (2) In the case of a foreign-registered non-type certificated aircraft, prior written permission by the Executive Director is required before such aircraft may enter Namibia.
- (3) The permission referred to in sub-regulation (2) shall normally be granted only-
 - (a) for a limited period of time;
 - (b) for the purpose of participation in international events within Namibia, for record-breaking purposes or demonstration flights, or at the discretion of the Executive Director if an acceptable level of safety can be shown and public safety is not jeopardized;
 - (c) proof is submitted that for the aircraft an authority to fly or similar certificate was issued by the foreign civil aviation authority or an organisation designated for the purpose by such authority; and

- (d) if the aircraft is made available for inspection by a licensed AME or AMO or an Approved Person with the relevant rating or approval, or by any other person designated for the purpose by the Executive Director, as soon as possible after its arrival in Namibia, and an inspection report has been submitted to the Executive Director.

SUBPART 2: FLIGHT CREW

94.02.1 Ex-military aircraft

- (1) A person may act as a pilot of a Namibia registered ex-military aircraft if such person is a holder of a PPL or higher category pilot licence with appropriate category and type rating, issued or validated in terms of Part 61.
- (2) A type rating referred to in subregulation (1) may be issued by the Executive Director once a licence holder has completed the required training as detailed in Document NAM-CATS 61 or Document NAM-CATS 94, as applicable, and has met the stipulated requirements.
- (3) The currency of a type rating issued in terms of subregulation (2) shall be in accordance with the provisions of Part 61.
- (4) A person shall only perform acrobatic flight in an aircraft that he or she has been certificated for, or is capable of performing acrobatic flight, if is a pilot with an acrobatic rating issued in terms of these regulations.
- (5) The Executive Director may exempt a pilot requiring a rating from undergoing all or part of the prescribed training referred to in subregulation (2) if he or she is satisfied that such pilot -
 - (i) has sufficient flying experience on similar types of aircraft; or
 - (ii) is a holder of a foreign type rating for an aircraft type and the Executive Director is satisfied that a training acquired was of an acceptable standard.
- (6) A pilot who requires to be rated to fly ex-military jet aircraft shall have appropriate flying experience.
- (7) The conversion, refresher and technical training requirements for a rating to fly ex-military jet aircraft will be assessed on an individual basis by the Executive Director, after receiving relevant documentation.
- (8) A flight training for a rating to fly ex-military jet aircraft shall not be performed before approval of applicable syllabus.
- (9) If a pilot who requires to obtain a rating to fly ex-military jet aircraft has little or no military jet or high-performance piston-engine or turbo-prop aircraft experience, he or she shall be required to undergo rigorous and detailed conversion training according to the syllabus prescribed in Document NAM-CATS 94.
- (10) The guidelines for establishment of training and acrobatic training criteria for rating to fly ex-military aircraft are prescribed in Document NAM-CATS 94.
- (11) An applicant for a training criteria referred to in subregulation (10) shall supply the information as prescribed in Document NAM-CATS 94.
- (12) The Executive Director may allow a Grade I or Grade II flight instructor with appropriate category and type rating to determine how many hours of acrobatic training may be counted towards a conversion training referred to in subregulation (9).
- (13) In the case of an ex-military aircraft that is available in a single-seat version only, the Executive Director may accept the training requirements for single-seat aircraft of an air force of a country or origin, or where not available, training may be simulated in a similar aircraft.

- (14) The Executive Director will consider each application for a type rating on a single-seat type on its own merits.
- (15) The Executive Director may permit a person to enter into an arrangement with an owner or a similar aircraft type, for the purposes of training, that has a valid authority to fly if-
- (a) such person has obtained permission from the Executive Director to place an aircraft type for which training is required on the Namibia Civil Aircraft Register;
 - (b) such person and an owner of a similar aircraft type submits the commercial agreement for the use of such aircraft to the Executive Director for approval;
 - (c) proof of insurance indicating that such person may undergo training on such an aircraft is submitted; and
 - (d) the Executive Director issues a revised authority to fly, stipulating that such aircraft may be used for training of such person.

SUBPART 3: DOCUMENTATION AND RECORDS

94.03.1 Operations manual

- (1) The owner or operator of-
- (a) a veteran aeroplane with a maximum all-up mass in excess of 5 700 kg or with more than 9 passenger seats;
 - (b) a veteran helicopter with a maximum all-up mass in excess of 3 175 kg;
 - (c) an ex-military jet aircraft; or
 - (d) any non-type certificated aircraft, classified in any of the paragraphs (a) to (g) in Regulation 24.01.1(2) and operated by an ATO approved in terms of Part 141 or the purpose of providing flying training,
- shall draw up an operations manual containing all information required under this Part, and if applicable, required under Part 96 of the Regulations, whether the aircraft is to be operated in commercial air transport operations or not. The operations manual shall set out the manner in which the owner will operate and maintain the aircraft.
- (2) The owner shall submit the operations manual in duplicate for approval to the Executive Director.
- (3) If the Executive Director is satisfied that the owner will comply with the provisions of the relevant Parts of the Regulations, he or she shall certify in writing on both copies of the operations manual that such manual has been approved and shall return one copy of the approved operations manual to the owner.
- (4) The owner shall submit any amendment to an approved operations manual in duplicate for approval to the Executive Director.
- (5) If the Executive Director is satisfied that the owner will comply with the provisions of the relevant Parts of the Regulations, he or she shall certify in writing on both copies of the amendment to the approved operations manual that such amendment has been approved and shall return one copy of the approved amendment to the owner.
- (6) The owner shall at all times operate the aircraft, referred to in sub-regulation (1), in accordance with the approved operations manual or an approved amendment thereto.
- (7) The owner shall -
- (a) ensure that all operations personnel are able to understand the technical language used in those sections of the operations manual which pertain to their duties;

- (b) ensure that every flight is conducted in accordance with the operations manual and that those parts of the operations manual which are required for the conduct of a flight, are easily accessible to the flight crew members on board;
 - (c) make the operations manual available for the use and guidance of operations personnel;
 - (d) provide the flight crew members with their own personal copy of the sections of the operations manual which are relevant to the duties assigned to them;
 - (e) keep the operations manual up to date; and
 - (f) keep the operations manual in a safe place.
- (8) The contents of the operations manual shall not contravene the conditions contained in the authority to fly issued to the owner in terms of Subpart 2 of Part 24 of these Regulations.
- (9) The structure and contents of the operations manual referred to in sub-regulation (1) shall be as prescribed in Document NAM-CATS 96.

94.03.2 Logbooks

- (1) For any veteran or ex-military aircraft, and for any non-type certificated aircraft used in a commercial air transport operation or for the provision of flight training, appropriate airframe, engine and propeller logbooks, as applicable, shall be maintained in accordance with the provisions of Part 44 of these Regulations.
- (2) Notwithstanding the provisions of sub-regulation (1), the owner or operator of an ex-military aircraft may continue to use the equivalent document or documents used by the previous military operator for the recording of flight times and maintenance carried out.
- (3) Notwithstanding the provisions of Regulation 44.01.2, the following non-type certificated aircraft are exempted from keeping the logbooks, prescribed by Part 44 to the extent stated:
 - (a) balloons: record of maintenance to be kept in accordance with the approved maintenance schedule;
 - (b) parachutes: record of maintenance assembly packing to be kept in a logbook or a separate log page approved by the Executive Director or the organisation designated for the purpose in terms of Part 149, as the case may be;
 - (c) model aircraft.

SUBPART 4: COMMUNICATION AND NAVIGATION EQUIPMENT

94.04.1 Communication equipment

- (1) Notwithstanding the provisions of Regulation 91.05.1 of these Regulations, the prescribed communication equipment is not required for aircraft operated in Class G airspace under VFR.
- (2) Unmanned free balloons and unmanned aerial vehicles shall carry the equipment as prescribed in the authority to fly or in terms of Regulation 94.06.6.
- (3) Notwithstanding the provisions of sub-regulation (1), at sites where and when paragliding, hang-gliding, or parachute descents takes place, the persons involved shall preferably arrange for the automatic transmission on the applicable flight information frequency of a warning that such activity takes place, or alternatively make use of a hand-held transceiver to warn other aircraft in the vicinity.

- (4) Notwithstanding the provisions of sub-regulation (1) and (3), at sites where aero-towing of hang-gliders takes place, the use of the appropriate communication equipment, either airborne or ground-based, to warn other air traffic in the vicinity that aero-towing is in progress is mandatory.
- (5) The Executive Director may authorise in writing the Central Airspace Management Unit (CAMU) to allocate a temporary segregated airspace (TSA) to separate aircraft operating without radio from other air traffic.

SUBPART 5: RULES OF THE AIR

94.05.1 Conditions for flight

- (1) Unless granted permission by the Executive Director or the organisation designated for the purpose in terms of Part 149, as the case may be, on a case-by-case basis, a non-type certificated aircraft may not be flown -
 - (a) by night;
 - (b) in meteorological conditions less than those prescribed as suitable for flight under VFR;
 - (c) within controlled airspace, unless cleared by and on conditions prescribed by ATC; or
 - (d) within 5 NM from the aerodrome reference point of an aerodrome, licensed or approved in terms of Part 139 of these Regulations and situated in Class G airspace, unless established unmanned aerodrome procedures for the particular aerodrome can be adhered to; or
 - (e) unless unavoidable, over built up areas and open-air assemblies of persons except for the purpose of take-off, transit and landing.
- (2) Notwithstanding the provisions of subregulation (1) a non-type certificated aircraft may operate under IFR conditions by day if it has been granted permission in terms of Regulation 24.02.3(3) of these Regulations.
- (3) Notwithstanding the provisions of subregulation (1)(e), a paraglider, hang-glider, and powered versions thereof, may fly over built-up areas provided they are foot-launched.

94.05.2 Aircraft speed

Notwithstanding the provisions of Regulation 91.06.9 the Executive Director may authorise in writing the CAMU to allocate a TSA in which aircraft may be flown at -

- (a) Mach 0.90 if below 5 000 feet AGL;
- (b) Mach 0.95 if between 5 000 feet AGL and FL 300; and
- (c) supersonic speeds if at or above FL 300.

SUBPART 6: FLIGHT OPERATIONS

94.06.1 Standards and procedures

- (1) Any person operating a non-type certificated aircraft for aviation recreational purposes or in air displays, shall comply with the standards and procedures determined by the organisation designated for the purpose in terms of Part 149, if any, and if applicable.

- (2) Any person operating a non-type certificated aircraft for aviation recreational purposes shall be a bona fide member of an applicable aviation recreation organisation designated by the Executive Director in terms of Part 149 and abide by its constitution and code of conduct, if any.
- (3) For the purposes of this Subpart, and until such time that an organisation has been approved in terms of Part 149, any person operating a non-type certificated aircraft for aviation recreational purposes or in air displays, shall comply with the flight operation standards and procedures prescribed for its members by the national body representative of the particular aviation sport, provided that these standards and procedures include those prescribed in, and are not in conflict with, the provisions of this Part.

94.06.2 Operation of paragliders, including powered paragliders and paratrikes

- (1) Notwithstanding the provisions of-
 - (a) Regulation 91.03.2 and Regulation 91.03.5, a person may operate a paraglider without carrying on board a current, approved flight manual or flight folio;
 - (b) Regulation 91.03.7, a person may operate a paraglider without a certificate of release to service;
 - (c) Subpart 4 of Part 91, a person may operate a paraglider if the paraglider has been equipped with -
 - (i) a safety harness or safety belt for each person on board the paraglider;
 - (ii) in the case of flights above 500 feet AGL, an altimeter that is accurate to within approximately 100 feet; and
 - (iii) in the case of flight over water beyond gliding distance from shore, one lifejacket or individual flotation device for each person on board, worn by such persons.
 - (d) Regulation 91.06.7(5), the PIC of a paraglider, overtaking another paraglider or hang-glider soaring on a ridge, shall pass on the ridge side of the overtaken paraglider or hang-glider;
 - (e) Regulation 91.06.21, a person may operate a paraglider to 500 feet vertically below cloud -
 - (i) up to a maximum altitude of 19 500 feet above MSL in class G airspace; and
 - (ii) up to a maximum altitude of 19 500 feet above MSL in Class E airspace, other than transponder-mandatory airspace;
 - (f) Regulation 91.07.2, the PIC of a paraglider may fly the paraglider below 500 feet AGL for the purpose of ridge soaring if such paraglider is flown in a manner that does not endanger persons or property on the ground;
- (2) Each person on board a paraglider shall wear a serviceable, rigid, protective helmet of a type approved by the Executive Director or by the organisation designated for the purpose in terms of Part 149.
- (3) In addition to the restrictions imposed by Regulation 94.05.1, no paraglider operation shall be conducted over a built-up area higher than 19 500 feet above MSL.
- (4)
 - (a) On every winch, used for the launching of paragliders, a means shall be provided for the severing of the launching cable.
 - (b) The means referred to in paragraph (a) shall be subject to the approval of the Executive Director or the organisation, approved for the purpose in terms of Part 149, as the case may be, and shall be so positioned that it can be easily and readily operated by the winch operator.
- (5)

- (a) No person may operate a paraglider with a passenger, unless that person holds a valid tandem rating.
- (b) Tandem operations shall be limited to two persons, including the pilot.
- (c) For tandem operations the carriage of a back-up parachute is compulsory.

94.06.3 Operation of gyroplanes

- (1) Notwithstanding the provisions of -
 - (a) Regulations 91.03.3 and 91.03.5, a person may operate a non-type certificated gyroplane or gyroglider without carrying on board a current, approved flight manual or flight folio;
 - (b) Subpart 4 of Part 91, a person may operate a non-type certificated gyroplane or gyroglider if the gyroplane or gyroglider has been equipped with -
 - (i) a seat with an approved safety harness or safety belt for each person on board the gyroplane or gyroglider;
 - (ii) a map which covers the complete route of the proposed flight;
 - (iii) in the case of flights above 500 feet AGL, an altimeter that is accurate to within approximately 100 feet;
 - (iv) a rotor brake; and
 - (v) in the case of flight over water beyond autorotative distance from shore, one lifejacket or individual flotation device for each person on board, stored in a position easily accessible for such persons, or alternatively worn by such persons.
- (2) In addition to the restrictions imposed by Regulation 94.05.1, no gyroplane or gyroglider operation shall be conducted above 500 feet AGL unless fitted with an approved, serviceable compass.

94.06.4 Operation of manned free balloons

- (1) Notwithstanding the provisions of Subpart 4 of Part 91, a person may operate a non-type certificated manned free balloon if the balloon has been equipped with -
 - (a) a map which covers the complete route of the proposed flight;
 - (b) an approved sensitive altimeter;
 - (c) a rate-of-climb indicator;
 - (d) a fire extinguisher;
 - (e) gloves;
 - (f) a handling line;
 - (g) in the case of a hot-air balloon:
 - (i) two alternate methods of ignition;
 - (ii) a fuel quantity gauge;
 - (iii) envelope temperature indicator; and

- (h) in the case of flight over water, one lifejacket or individual flotation device for each person on board, stored in a position easily accessible for such persons, or alternatively worn by such persons.

94.06.5 Operation of captive balloons

- (1) Captive balloons are exempted from these Regulations -
 - (a) except from Regulation 94.05.1; and
 - (b) provided that no captive balloon operation shall be conducted -
 - (i) higher than 150 feet above the surface; or
 - (ii) from or above a public road;unless with the prior approval of the Executive Director and on conditions determined by him or her.
- (2) In the event of a captive balloon breaking free from its moorings, the operator thereof shall immediately report the occurrence to the nearest ATSU, indicating the direction in which the balloon is drifting.

94.06.6 Operation of unmanned free balloons

- (1) Unmanned free balloons are exempted from these Regulations, except that no unmanned free balloon operations shall take place without the prior permission of the Executive Director and on the conditions determined by him or her.
- (2) For purposes of this Regulation, the mass release of toy balloons shall be considered to be the launch of an unmanned free balloon.

94.06.7 Operation of amateur-built or production-built aircraft, including microlight aeroplanes

- (1) Notwithstanding the provisions of -
 - (a) Regulations 91.03.2 and 91.03.5, a person may operate an amateur-built or production-built aircraft, including a microlight aeroplane, without carrying on board a current, approved flight manual or flight folio should such carriage not be safely possible;
 - (b) Subpart 4 of Part 91, a person may operate an amateur-built or production-built aircraft, including a microlight aeroplane, if the aircraft has been equipped with -
 - (i) a seat with an approved safety harness or safety belt for each person on board the aircraft;
 - (ii) a map which covers the complete route of the proposed flight; and
 - (iii) in the case of flight over water beyond gliding distance from shore, one lifejacket or individual flotation device for each person on board, stored in a position easily accessible for such persons, or alternatively worn by such persons.

94.06.8 Operation of gliders

- (1) Notwithstanding the provisions of -

- (a) Regulation 91.03.2 and Regulation 91.03.5, a person may operate a non-type certificated glider without carrying on board a current, approved flight manual or flight folio should such carriage not be safely possible;
- (b) Subpart 4 of Part 91, a person may operate a non-type certificated glider if the glider has been equipped with-
 - (i) a seat with an approved safety harness or safety belt for each person on board the glider;
 - (ii) a map which covers the complete route of the proposed flight;
 - (iii) in the case of flights above 500 feet, an altimeter that is accurate to within approximately 100 feet;
 - (iv) vertical speed indicator or similar instrument; and
 - (v) in the case of flight over water beyond gliding distance from shore, one lifejacket or individual flotation device for each person on board, stored in a position easily accessible for such persons, or alternatively worn by such persons;
- (c) Part 139, in the event of an unavoidable out-landing a person may land a glider, at a suitable site other than an airfield.

(2)

- (a) On every winch, used for the launching of gliders, a means shall be provided for the severing of the launching cable.
- (b) The means referred to in paragraph (a) shall be subject to the approval of the Executive Director or the organisation, approved for the purpose in terms of Part 149, as the case may be, and shall be so positioned that it can be easily and readily operated by the winch operator.

94.06.9 Operation of hang-glidors

- (1) Notwithstanding the provisions of-
 - (a) Regulation 91.03.2 and Regulation 91.03.5, a person may operate a hang-glider without carrying on board a current, approved flight manual or flight folio;
 - (b) Regulation 91.03.7, a person may operate a hang-glider without a certificate of release to service;
 - (c) Subpart 4 of Part 91, a person may operate a hang-glider if the hang-glider has been equipped with -
 - (i) an approved safety harness or safety belt for each person on board the hang-glider;
 - (ii) in the case of flights above 500 feet AGL, an altimeter that is accurate to within approximately 100 feet; and
 - (iii) in the case of flight over water one lifejacket for each person on board and worn by such persons;
 - (d) Regulation 91.06.7(5), the person operating a hang-glider overtaking another hang-glider or paraglider soaring on a ridge shall pass on the ridge side of the overtaken hang-glider or paraglider;
 - (e) Regulation 91.06.21, a person may operate a hang-glider to 500 feet vertically below cloud -
 - (i) up to a maximum altitude of 19 500 feet above MSL in class G airspace; and
 - (ii) up to a maximum altitude of 19 500 feet above MSL in Class E airspace, other than transponder-mandatory airspace;

- (f) Regulation 91.06.32, a person may operate a hang-glider below 500 feet AGL for the purpose of ridge soaring:
Provided such hang-glider is flown in a manner that does not endanger persons or property on the surface;
- (2) Each pilot and passenger of a hang-glider shall wear a serviceable, rigid, protective helmet of a type approved by the Executive Director or by the organisation designated for the purpose in terms of Part 149.
- (3) In addition to the restrictions imposed by Regulation 94.05.1, no hang-glider operation shall be conducted -
 - (a) over a built-up area; or
 - (b) higher than 19 500 feet above MSL.
- (4)
 - (a) On every winch, used for the launching of hang-gliders, a means shall be provided for the severing of the launching cable.
 - (b) The means referred to in paragraph (a) shall be subject to the approval of the Executive Director or the organisation, approved for the purpose in terms of Part 149, as the case may be, and shall be so positioned that it can be easily and readily operated by the winch operator.
- (5)
 - (a) No person may operate a hang-glider with a passenger, unless that person holds a valid tandem rating.
 - (b) Tandem operations shall be limited to two persons, including the pilot.
 - (c) The PIC shall carry a tandem-rated reserve parachute during tandem operations.
- (6)
 - (a) No person may operate a hang-glider in an aero-tow operation unless such person is the holder of an appropriately endorsed license.
 - (b) The requirements for the issue of an aero-tow endorsement are those prescribed in Part 62.

94.06.10 Operation of line-controlled kites

Line-controlled kites are exempted from these Regulations -

- (a) except from Regulation 94.05.1; and
- (b) provided that no line-controlled kite shall be flown -
 - (i) higher than 150 feet above the surface;
 - (ii) from or above a public road; or
 - (iii) on the approaches to any aerodrome licensed or approved in terms of Part 139 of these Regulations, unless with the prior approval of the Executive Director and on conditions determined by him or her.

94.06.11 Operation of model aircraft

Model aircraft are exempted from these Regulations -

- (a) except from Regulation 94.05.1; and

- (b) provided that no model aircraft shall be flown -
 - (i) higher than 150 feet above the surface; or
 - (ii) from or above a public road,

unless with the prior approval of the Executive Director and on conditions determined by him or her; or in airspace specifically approved for the purpose by the Executive Director and on conditions set by him or her for the use of such airspace.

94.06.12 Operation of parachutes

The Regulations governing parachuting operations are those prescribed in Part 105 of these Regulations.

94.06.13 Operation of ex-military jet aircraft

- (1) Further to the provisions of Regulation 91.07.12, an ex-military jet aircraft shall carry sufficient fuel -
 - (a) to divert from its destination aerodrome to an alternate aerodrome that is at least 100 km distant from the destination aerodrome; and
 - (b) to allow for at least 10 minutes of flight at cruise-power settings when arriving over the alternate aerodrome referred to in sub-regulation (a).
- (2)
 - (a) Only if the Executive Director on the authority to fly has approved the carriage of passengers may passengers be carried in an ex-military jet aircraft.
 - (b) Where applicable, the owner of an ex-military jet aircraft shall ensure that the medical and physical condition of the passenger complies with the conditions prescribed by the manufacturer of the ejection seat of the aircraft.
 - (c) It is the responsibility of the owner of an ex-military jet aircraft to provide the passenger with suitable and serviceable flying equipment, protection gear and clothing.
- (3) The owner of an ex-military jet aircraft shall ensure that the passenger is thoroughly briefed on -
 - (a) all the dangers associated with the flying in an ex-military jet aircraft, including the possible injuries following ejection; and
 - (b) actions during flight:
 - (i) the operation of switches and handles, if applicable;
 - (ii) the actions and execution of commands during emergency situations;
 - (iii) the actions should the PIC become incapacitated during flight; and
 - (iv) any other information as seen fit by the owner or the PIC.
- (4) MEL
 - (a) Oxygen Systems**

Oxygen system shall be fully serviceable, unless specifically exempted, whether or not it is intended to fly the aircraft above FL 100.

(b) Aircraft Pressurisation

Aircraft pressurisation systems shall be fully serviceable, unless specifically exempted, irrespective of the altitudes it is intended that the aircraft be flown.

(c) Ejection Seats

Where ejection seats are an integral part of the aircrew escape system, as specified in the relevant Flight Manual or Aircrew Notes, they shall be fully serviceable for all flights unless specifically exempted, and all occupants shall have been suitably instructed in their use.

(d) Flying Clothing and Equipment

- (i) Certain items of flying clothing and personal equipment are an integral part of the aircraft safety equipment, such as life-saving jackets with dinghy connections or personal equipment connectors with oxygen connections. Where the appropriate clothing, equipment or systems are required for flight, these additional items shall be made available and be fully serviceable.
- (ii) Unless specifically exempted, all occupants of an ex-military jet or turbo-prop aircraft shall wear protective helmets, equipped with suitable visors and facilitating communication.
- (iii) Aircraft that are to be operated over large water masses beyond gliding distance from shore shall be equipped with suitable survival equipment, and the occupants shall wear suitable survival clothing and equipment.

(e) Emergency and Backup Systems

Systems under this heading are invariably an integral part of the aircraft build standard and will have been installed with certain emergencies in mind (i.e. emergency undercarriage lowering, or hood opening or jettison). All such systems shall be serviceable for flight, unless specifically exempted.

(f) Instrumentation for Flight under IFR and Standby Instrumentation

Where permission has been granted to operate the aircraft in IMC, all instrumentation and equipment normally required for operation in IMC according to IFR shall have been fitted and be serviceable in accordance with the provisions of Part 91 of the Regulations.

(g) Weaponry

- (i) Where weaponry are an integral part of the aircraft, such weaponry shall be permanently de-activated, or be removed and replaced by ballast to ensure that the correct mass and centre of gravity of the aircraft is maintained.
- (ii) The carriage of external weaponry is prohibited.

(h) External Equipment

Where aircraft are capable of carrying external fuel tanks, whether jettisonable or not, such fuel tanks may be used: Provided that all systems applicable to the fuel tanks are serviceable. The pilot must also be fully qualified in the handling of the aircraft with and without the external fuel tanks (including asymmetric flight) and conversant with the jettison restrictions, limits and implications.

94.06.14 Display authorization

- (1) When a non-type certificated aircraft, classified in the paragraphs (a) to (g) of Regulation 24.01.1(2), is to participate in a public flying demonstration, the PIC shall be the holder of an appropriate Display Authorization.

- (2) The Display Authorization may be issued by the Executive Director or by an organisation designated for the purpose in terms of Part 149, as the case may be, in writing if he, she or it is satisfied that -
 - (a) the pilot has the required experience; and
 - (b) the proposed display sequence can be executed safely with the particular aircraft.
- (3) The Display Authority shall be issued on the prescribed form, and shall detail the aircraft to be used, its configuration, the sequence to be flown, and any other condition that may be imposed by the Executive Director or by the organisation designated for the purpose in terms of Part 149, as the case may be, at his, her or its discretion in the interest of flight and public safety.
- (4) The following information shall be submitted to the Executive Director or the organisation designated for the purpose in terms of Part 149, as the case may be, when applying for a Display Authorization:
 - (a) a summary of the pilot's total flying experience and details of experience on the type of aircraft to be flown in the display;
 - (b) a detailed list of previous air display experience, to include events, dates, duration, aircraft types, and sequences flown;
 - (c) the details of the sequence for which Display Authorization is sought, including:
 - (i) good weather sequence; and
 - (ii) bad weather sequence, where the weather conditions, such as cloud ceiling, impose a restriction on the good weather display sequence.

The sequences shall be submitted in textual and graphical form, with the minimum meteorological conditions for each sequence specified.
 - (d) The specific procedures to be followed for possible emergencies that may arise during the display, including the listing of diversion aerodromes.
 - (e) Details of the aircraft in the configuration to be used in the display, including take-off mass, take-off fuel and landing fuel.
- (5) The application shall be made in the form prescribed in NAM-CATS 94.
- (6) The application shall be accompanied by the appropriate fee prescribed in Part 187.

SUBPART 7: MAINTENANCE

94.07.1 General

- (1) No owner, operator or PIC of a non-type certificated aircraft, classified in paragraphs (a) to (g) of sub-regulation 24.01.1(2), shall operate the aircraft unless such aircraft is maintained and released to service in accordance with the provisions of Part 24.
- (2) No owner, operator or PIC of a non-type certificated aircraft, classified in paragraphs (h) to (l) in Regulation 24.01.1(2) shall operate the aircraft unless such aircraft has been properly maintained and is in an airworthy condition.

94.07.2 Maintenance control manual

Where an owner or operator is required in terms of Part 94 to maintain an operations manual, the latter shall include a maintenance control manual in the format as prescribed in Document NAM-CATS 44.

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NAM-CATS 94

Operation of Non-Type Certificated Aircraft

LIST OF TECHNICAL STANDARDS

94.02.1 EX-MILITARY AIRCRAFT

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94.06.14 DISPLAY AUTHORISATION

1. [Introduction](#)
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94.02.1 EX-MILITARY AIRCRAFT

1. Required training

The additional training, required for conversion onto ex-military aircraft shall include ground as well as flight training.

2. Training syllabus

(1) Ground Training

- (a) Ground training may be done on a self-study or formal-lecture basis, after which the applicant must complete a written examination to prove his or her knowledge of all aircraft systems.
- (b) The technical examinations shall cover the following aspects -
 - (i) Engine
 - (ii) Fuel system
 - (iii) Oil system
 - (iv) Hydraulic system
 - (v) Electrical system
 - (vi) Pressurisation system
 - (vii) Ejection system
 - (viii) Emergency systems
- (c) The technical examinations must be passed with the following minimum results -
 - (i) Limitations: 80%
 - (ii) Procedures: 80%
 - (ii) Emergency Procedures: 95%
- (d) The ground course shall include an introduction to the use of the survival equipment. Special attention must be given to the use of the parachute, the dinghy and any medical equipment fitted in the aircraft. It would be beneficial for the trainee to do an introductory parachute course. This will enable the individual to brief any future passenger better on the use of a parachute.

(2) Flying Training

- (a) The flying training should only be initiated after the completion of the ground phase. During this phase it will be imperative to take previous experience into account. After completion of this phase, the applicant should be able to handle the aircraft safely during all flying conditions, to the satisfaction of the testing flight instructor and the Executive Director.
- (b) Aspects to be covered during the flying training phase, to the extent applicable to type, shall include the following -
 - (i) Aircraft familiarisation
 - (ii) Effect of controls
 - (iii) Climbing and descending

- (iv) Stalling at various speeds and configurations
- (v) Medium and steep turning
- (vi) Incipient spinning and spinning, if allowed
- (vii) Acrobatic manoeuvres applicable to the specific type
- (viii) Precautionary landings
- (ix) Forced landings
- (x) Approaches (different speeds and configurations as applicable to type)
- (xi) Landings (different speeds and configurations as applicable to type)
- (xii) Navigation (low, medium and high level)
- (xiii) Introduction to instrument flying
- (xiv) Introduction to night flying
- (xv) Handling of emergencies
- (xvi) Engine failures during different stages of flight
- (xvii) Engine fire/overheat during different stages of flight
- (xviii) Hydraulic failure
- (xix) Flap failure
- (xx) Dragchute failure

3. Guidelines for the establishment of training criteria

(1) Guideline used by the Executive Director for the approval of training criteria for an individual:

Candidate has less than 300 hours total flying time.	Minimum of 40 hours instruction on type, of which 5 hours could be on a simulator of that type. Minimum of 15 hours with a check pilot who should be a qualified instructor on type. If an instructor is not available, it must be someone who has done the conversion to the instructor's position on type.
Candidate has less than 300 hours total flying time of which 100 hours are on a jet-engine aircraft.	Minimum of 30 hours instruction on type, of which 5 hours could be on a simulator of that type. Minimum of 10 hours with a check pilot.
Candidate has more than 500 hours total flying time including more than 100 hours as pilot-in-command on a civilian jet aircraft.	Minimum of 10 hours instruction on type. Minimum of 10 hours with a check pilot.
Candidate has a military jet rating obtained as a civilian on a similar aircraft type.	Minimum of 7 hours instruction on type. Minimum of 5 hours with a check pilot.
Candidate has held a military jet licence issued by an air force.	Will be determined by CAA.

- (2) Guideline used by the Executive Director for the approval of aerobatic training criteria for an individual:

Candidate has no previous aerobatic experience.	An aerobatic rating and a minimum of 10 hours aerobatic training on the aircraft type.
Candidate has an aerobatic rating issued in terms of Part 61 and has flown more than 6 hours of aerobatics during the preceding twelve months.	Minimum of 4 hours aerobatic training on type.
Candidate has previous aerobatic experience but does not have a civilian aerobatic rating.	An aerobatic rating and a minimum of 6 hours aerobatic training on aircraft type.
Candidate has more than 6 hours aerobatic experience on military jet aircraft during the preceding twelve months and has an aerobatic rating.	Minimum of 2 hour aerobatic training on type.

4. Information to be supplied

- (1) Information to be supplied to the Executive Director in respect of the candidate when applying for approval of training criteria -

- (a) Summary of the Pilot Logbook

The pilot's logbook should be summarised and a copy of the summary page submitted to the Executive Director

- (b) Hours flown per month

The average number of hours that the applicant flies per month.

- (c) Aerobatic Experience

The total number of hours aerobatic experience and the number of hours aerobatic flying during the preceding twelve months.

- (d) Type of Aircraft

The details of the aircraft type for which the applicant is applying.

- (e) Licence Details

Details of the licences held, including aircraft types, systems, and night or instrument rating.

- (2) Information to be supplied to the Executive Director in respect of the person or organisation to provide the training when applying for approval of training criteria -

- (a) Approved Training Organisation

The name and certificate number of the Approved Training Organisation.

- (b) Flight Instructor

- (i) the name and licence number of the flight instructor; and

- (ii) the qualification of the flight instructor, including flying experience and type ratings held.

- (3) When applying for approval of training criteria the Information to be supplied to the Executive Director shall include -

- (a) the proposed emergency training procedures; and

- (b) the physical and medical requirements for the candidate to operate the aircraft and the limitations imposed.

5. Prescribed individual training programme

Once the Executive Director has studied the information submitted in terms of sub-paragraphs (3), (4) and (5), and is satisfied that the training will be done in a responsible and safe manner, minimum requirements regarding the training of the particular individual will be supplied in writing by the Executive Director on Form CA94.02.1.

6. Continuation training

After completion of the conversion onto type, it will be the responsibility of the pilot and the aircraft owner to ensure that the pilot remains current on type. As a guideline, the following should be used -

(1) Ground training:

An emergency, handling, limitations and procedural quiz must be completed at least every second month.

(2) Flying training:

To remain current, the pilot must -

- (a) complete at least 12 hours, as pilot-in-command of an ex-military aircraft, over a twelve-month period; or
- (b) should this not be the case, or if the pilot has not flown the specific type for a period exceeding three months, the pilot must undergo a check flight with a flight instructor who is current on type; and
- (c) undergo at least one check flight on type not later than six months since the previous check flight on type with a flight instructor who is current on type.

7. Documentation

All documentation generated during the conversion and continuation training shall be filed in the pilot's personal training file, which must be kept at the aircraft owner's office, and which must be made available on request to an authorised officer, an inspector, or an authorised person.

94.06.14 DISPLAY AUTHORISATION

1. Introduction

When an applicant wishes to participate in public flying demonstrations the applicant should submit the information detailed below to the CAA. The CAA will, if it is satisfied that the aircraft can be operated in a safe manner during an air show, issue a Display Authorisation to the applicant.

2. Information required

2.1. Flying Experience

The applicant should supply a summary of previous flying experience and details of experience on the type of aircraft to be flown during the display.

2.2. Air Show Experience

The applicant should provide the CAA with a detailed list of previous air show experience. This should include the dates, duration, aircraft type and sequence flown.

2.3. Details of the Sequence

The applicant should submit the detail of the sequence to be flown which should include the following -

(a) Good weather sequence

The display sequence to be flown, in textual and graphical form, where the weather conditions do not impose any restriction. The minimum meteorological conditions for this sequence should be specified.

(b) Bad Weather Sequence

The display to be flown, in textual and graphical form, where the weather conditions such as cloud ceiling imposes a restriction on the display. The minimum meteorological conditions for this sequence should be specified.

(c) Emergency Procedures

The specific procedures to be followed for the possible emergency situations that may occur including diversion aerodromes.

2.4. Aircraft Configuration

The applicant should supply details of the aircraft configuration including weight, take-off fuel and landing fuel.

2.5. Fees

The applicant should supply the receipt for the payment of the prescribed fees.

3. Display authorisation

Once the information has been reviewed, a display authorisation may be issued at the discretion of the Executive Director or the organisation, designated for the purpose in terms of Part 149, as the case may be. The display authorisation details the sequence to be flown and any other conditions that may be imposed.