

NAMCAR: PART 94 (Draft NAMCAR)

OPERATION OF NON-TYPE CERTIFICATED AIRCRAFT

LIST OF REGULATIONS

SUBPART 1: GENERAL PROVISIONS

- [94.01.1](#) Applicability
- [94.01.2](#) Authority to fly

SUBPART 2: FLIGHT CREW

- [94.02.1](#) Ex-military aircraft

SUBPART 3: DOCUMENTATION AND RECORDS

- [94.03.1](#) Operations manual
- [94.03.2](#) Logbooks

SUBPART 4: COMMUNICATION AND NAVIGATION EQUIPMENT

- [94.04.1](#) Communication equipment

SUBPART 5: RULES OF THE AIR

- [94.05.1](#) Conditions for flight
- [94.05.2](#) Aircraft speed

SUBPART 6: FLIGHT OPERATIONS

- [94.06.1](#) Standards and procedures
- [94.06.2](#) Operation of amateur-built or production-built aircraft
- [94.06.3](#) Operation of gyroplanes
- [94.06.4](#) Operation of gliders
- [94.06.5](#) Operation of manned free balloons
- [94.06.6](#) Operation of captive balloons
- [94.06.7](#) Operation of unmanned free balloons
- [94.06.8](#) Operation of remotely piloted aircraft, including rockets
- [94.06.9](#) Operation of hang-gliders
- [94.06.10](#) Operation of paragliders
- [94.06.11](#) Operation of parachutes

- [94.06.12](#) Operation of model aircraft
- [94.06.13](#) Operation of line-controlled kites
- [94.06.14](#) Operation of ex-military jet aircraft
- [94.06.15](#) Display authorisation

SUBPART 7: MAINTENANCE

- [94.07.1](#) General
- [94.07.2](#) Maintenance control manual

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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, including its territorial waters;
 - (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 Namibia, including its territorial waters, and 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, operated in Namibia, including its territorial waters, unless specifically exempted by the provisions of this Part.
- (3) Non-type certificated aircraft operated in Namibia, including its territorial waters, and in terms of this Part are 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 certificated aircraft used in Part 61 or 62 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 and in Namibia, including its territorial waters, may be used for training if such training is provided by an ATO approved in terms of Part 141 or a DTO declared in terms of Part 149.
- (6) Subregulation (5) does not apply in respect of conversion training contemplated in sub-regulations (11) and (12) of Regulation 24.03.4.

94.01.2 Authority to fly

- (1) No person shall operate a non-type certificated aircraft in Namibia, including its territorial waters, 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, similar authorisation certificate or proving flight authority has been issued in terms of these Regulations;
 - (b) the aircraft is in an airworthy condition; and
 - (c) the pilot-in-command is the holder of a valid pilot licence or pilot certificate, as the case may be, with the appropriate rating and endorsement, as applicable, 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, including its territorial waters.
- (3) The permission referred to in sub-regulation (2) shall be granted -
 - (a) for a period not exceeding 12 months, at the discretion of the Executive Director if an acceptable level of safety can be shown, which shall remain valid only while the aircraft's authority to fly or equivalent authorisation issued by the State of Registry remains valid, and may be reissued upon reapplication; and

- (b) if proof is submitted for the aircraft that an authority to fly or similar authorisation certificate was issued by the competent Authority of another state or foreign organisation designated or approved for the purpose by such competent Authority of another state; or
- (c) if the Executive Director determines that the authority to fly or similar authorisation certificate issued by the competent Authority of another state or foreign organisation designated or approved for the purpose by such competent Authority of another state, does not meet the standards of Namibia, the aircraft shall be made available for inspection by an NCAA 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 Namibian registered ex-military aircraft if such person is the 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 aerobatic flight in an aircraft that he or she has been appropriately rated and endorsed for, as applicable, and he or she is a pilot with an aerobatic 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 stipulated 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 such an aircraft type and the Executive Director is satisfied that 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 training flight for a rating to fly ex-military jet aircraft shall not be performed before approval of the applicable syllabus by the Executive Director.
- (9) A pilot who requires a rating to fly ex-military jet aircraft who has little or no military jet or high-performance piston-engine or turbo-prop aircraft experience, shall be required to undergo rigorous and detailed conversion training according to the syllabus stipulated in Document NAM-CATS 94.
- (10) The guidelines for the establishment of training and aerobatic training criteria for a rating to fly ex-military aircraft are stipulated in Document NAM-CATS 94.
- (11) An applicant for a training criteria referred to in subregulation (10) shall supply the information as stipulated in Document NAM-CATS 94.

- (12) The Executive Director may allow a Grade I or Grade II flight instructor with the appropriate category and type rating to determine how many hours of aerobatic training may be counted towards the 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 arrangements to be entered into between persons and owners or operators of a similar aircraft type, for the purposes of training, that has a valid authority to fly or similar authorisation certificate if -
 - (a) permission from the Executive Director has been given to place such an aircraft type on the Namibia Civil Aircraft Register;
 - (b) such a person requiring training and the owner or operator of a similar aircraft type submits a letter of permission for the use of such aircraft for the purposes of training to the Executive Director;
 - (c) proof of insurance is submitted indicating that such person may undergo training on such an aircraft; and
 - (d) the Executive Director issues a revised authority to fly or similar authorisation certificate, stipulating that such aircraft may be used for training.

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; or
 - (c) an ex-military jet aircraft,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 or operator will operate and maintain the aircraft.
- (2) The owner or operator shall submit the operations manual in duplicate for acceptance to the Executive Director.
- (3) If the Executive Director is satisfied with the contents of the operations manual, he or she shall certify in writing on both copies of the operations manual that such manual has been accepted and shall return one copy of the accepted operations manual to the owner or operator.
- (4) The owner or operator shall submit any amendment to an accepted operations manual in duplicate for acceptance to the Executive Director.
- (5) If the Executive Director is satisfied with the contents of an operations manual amendment, he or she shall certify in writing on both copies of the accepted amendment to the operations manual that such amendment has been accepted and shall return one copy of the accepted amendment to the owner or operator.

- (6) The owner or operator shall at all times operate the aircraft, referred to in sub-regulation (1), in accordance with the accepted operations manual or an accepted amendment thereto.
- (7) The owner or operator 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) make available to flight crew members a 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 or similar authorisation certificate issued to the owner or operator 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 stipulated in Document TS 96.03.1

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 44.01.3, the following non-type certificated aircraft are exempted from keeping the logbooks, stipulated by Part 44 to the extent stated:
 - (a) balloons: record of maintenance to be kept in accordance with the manufacturer's stipulated maintenance schedule;
 - (b) paragliders: record of maintenance to be kept in accordance with the manufacturer's maintenance schedule if stipulated by the manufacturer;
 - (c) hang-gliders: record of maintenance to be kept in accordance with the manufacturer's maintenance schedule if stipulated by the manufacturer;
 - (d) parachutes: record of maintenance assembly packing to be kept in a logbook or a separate log page stipulated by the Executive Director or the organisation designated for the purpose in terms of Part 149, as the case may be; and
 - (e) model aircraft.

SUBPART 4: COMMUNICATION EQUIPMENT

94.04.1 Communication equipment

- (1) Notwithstanding the provisions of Regulation 91.05.1 of these Regulations, the stipulated 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 stipulated 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 training takes place, or at sites where parachute descents take 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, a manual transmission by the flight crew of a parachute jump aircraft, 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 ANSU 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) A non-type certificated aircraft may not operate within 5 NM from the aerodrome reference point of an aerodrome, stipulated 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.
- (2) Unless unavoidable, a non-type certificated aircraft may not operate over built up areas and open-air assemblies of persons except for the purpose of take-off, transit and landing.
- (3) Notwithstanding paragraph (2), a paraglider or hang-glider may fly over built-up areas provided they are foot-launched.

94.05.2 Aircraft speed

- (1) Notwithstanding the provisions of Regulation 91.07.46, the Executive Director may authorise in writing the ATSU to allocate a Temporary Segregated Area (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 or undergoing training to operate 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 a aviation recreation 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 stipulated for its members by the national body representative of the particular aviation sport, provided that these standards and procedures include those stipulated in, and are not in conflict with, the provisions of this Part.

94.06.2 Operation of amateur-built or production-built aircraft

- (1) Notwithstanding the provisions of -
 - (a) Regulations 91.03.2 and 91.03.4, a person may operate an amateur-built or production-built aircraft without carrying on board a current flight manual, flight folio or journey log, as the case may be, should such carriage not be safely possible;
 - (b) Subpart 4 of Part 91, a person may operate an amateur-built or production-built aircraft if the aircraft has been equipped with or carries on board –
 - (i) a seat with a suitable safety harness or safety belt for each person on board the aircraft;
 - (ii) a map, either in digital or printed format, that accurately depicts the entire 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) in the case of flights above 500 feet AGL, a serviceable compass; and
 - (v) in the case of flight over water beyond gliding distance from shore, one lifejacket or individual floatation device for each person on board, stored in a position easily accessible for such persons, or alternatively worn by such persons.

94.06.3 Operation of gyroplanes

- (1) Notwithstanding the provisions of -
 - (a) Regulations 91.03.2 and 91.03.4, a person may operate a non-type certificated gyroplane without carrying on board a current flight manual, flight folio or journey log, as the case may be, should such carriage not be safely possible;
 - (b) Subpart 4 of Part 91, a person may operate a non-type certificated gyroplane if the gyroplane has been equipped with or carries on board -
 - (i) a seat with a suitable safety harness or safety belt for each person on board the gyroplane;
 - (ii) a map, either in digital or printed format, that accurately depicts the entire 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) in the case of flights above 500 feet AGL, a serviceable compass; and

- (v) a rotor brake; and
- (vi) 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.

94.06.4 Operation of gliders

- (1) Notwithstanding the provisions of -
 - (a) Regulation 91.03.2 and Regulation 91.03.4, a person may operate a non-type certificated glider without carrying on board a current flight manual, flight folio or journey log, as the case may be, 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 or carries on board -
 - (i) a seat with a suitable safety harness or safety belt for each person on board the glider;
 - (ii) a map, either in digital or printed format, that accurately depicts the entire 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) in the case of flights above 500 feet AGL, a serviceable compass;
 - (v) a vertical speed indicator or similar instrument; and
 - (vi) 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) On every winch, used for the launching of gliders, a means shall be provided for the severing of the launching cable and shall be so positioned that it can be easily and readily operated by the winch operator.

94.06.5 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 or carries on board -
 - (a) a map, either in digital or printed format, that accurately depicts the entire route of the proposed flight;
 - (b) an analogue or electronic altimetry device that is accurate to within approximately 100 feet;
 - (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) an 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.

94.06.6 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.

94.06.7 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.

94.06.8 Operation of remotely piloted aircraft, including rockets

The Regulations governing remotely piloted aircraft operations are those stipulated in Part 101 of these Regulations.

94.06.9 Operation of hang-gliders

- (1) For the purposes of this regulation, a hang-glider shall include all powered and wheeled/slide/skid undercarriage derivatives and all weight-shift and conventionally controlled derivatives.
- (2) Notwithstanding the provisions of-
- (a) Regulation 91.03.2 and Regulation 91.03.4, a person may operate a hang-glider without carrying on board a current flight manual, flight folio or journey log, as the case may be;
 - (b) Regulation 91.03.1, 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 or carries on board, as applicable -
 - (i) an appropriate safety harness or safety belt for each person on board the hang-glider;

- (ii) in the case of flights above 500 feet AGL, an analogue or electronic altimetry device 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 91.06.18(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 91.06.32, a person may operate a hang-glider to 500 feet vertically below a cloud up to a maximum altitude of 19 500 feet above MSL;
 - (f) Regulation 91.06.8, a person may operate a hang-glider below 500 feet AGL, provided such hang-glider is flown in a manner that does not endanger persons or property on the surface;
- (3) Each pilot and passenger of a hang-glider shall wear a serviceable, rigid, protective helmet.
- (4) On every winch, used for the launching of hang-gliders, a means shall be provided for the severing of the launching cable 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 endorsement.
 - (b) Tandem operations shall be limited to two persons, inclusive of the pilot.
 - (c) The pilot-in-command 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 appropriately endorsed as stipulated in Part 106.
 - (b) The requirements for the issue of an aero-tow endorsement are those stipulated in Part 106.

94.06.10 Operation of paragliders

- (1) For the purposes of this regulation, a paraglider shall include all parakites and all powered and wheeled undercarriage derivatives as well as powered parachutes.
- (2) Notwithstanding the provisions of -
- (a) Regulation 91.03.2 and Regulation 91.03.4, a person may operate a paraglider without carrying on board a current flight manual, flight folio or journey log, as the case may be;
 - (b) Regulation 91.03.1, 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 or carries on board, as the case may be -
 - (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 analogue or electronic altimetry device 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 91.06.18(5), the pilot-in-command 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 91.06.32, a person may operate a paraglider to 500 feet vertically below a cloud up to a maximum altitude of 19 500 feet above MSL;
 - (f) Regulation 91.07.2, the pilot-in-command of a paraglider may fly the paraglider below 500 feet AGL if such paraglider is flown in a manner that does not endanger persons or property on the ground;
- (3) Each person on board a paraglider shall wear a serviceable, rigid, protective helmet.
- (4) On every winch, used for the launching of paragliders, a means shall be provided for the severing of the launching cable 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 endorsement.
 - (b) Tandem operations shall be limited to two persons, inclusive of the pilot.
 - (c) For tandem operations, the carriage of a tandem-rated reserve parachute is compulsory.

94.06.11 Operation of parachutes

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

94.06.12 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 450 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.

- (c) Model aircraft may not be flown in a reckless manner that endangers persons or property on the surface.
- (d) Model aircraft pilots are responsible for the aircraft under their control and must ensure the aircraft is serviceable and that all required safety checks and procedures are complied with.

94.06.13 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 or within the vicinity of any aerodrome regulated 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.

94.06.14 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 or similar authorisation certificate has approved the carriage of passengers may passengers be carried in an ex-military jet aircraft.
 - (b) Where applicable, the owner or operator 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 or operator of an ex-military jet aircraft to provide the passenger with suitable and serviceable flying equipment, protection gear and clothing.
- (3) The owner or operator 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 to be taken should the pilot-in-command become incapacitated during flight; and
 - (iv) any other information as seen fit by the owner, operator or pilot-in-command.
- (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) Flight Clothing and Equipment

- (i) Certain items of flight 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.

94.06.15 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 pilot-in-command 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 stipulated 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 stipulated in NAM-CATS 94.
- (6) The application shall be accompanied by the appropriate fee stipulated in Part 187.

SUBPART 7: MAINTENANCE

94.07.1 General

- (1) No owner, operator or pilot-in-command 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 pilot-in-command 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 stipulated in Document TS 44.04.3