



Government Notice /2019

Notice of Intention to Make Regulations

CIVIL AVIATION ACT, 2016 (ACT NO. 6 OF 2016)

NAMCARS PART 145: AIRCRAFT MAINTENANCE ORGANISATIONS

FOR PUBLIC COMMENT

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SUBPART 1: GENERAL

Applicability

- 145.01.1** (1) This Part applies to the approval and operation of organisations for the maintenance of aircraft and aircraft components.
- (2) An aircraft maintenance organisation located outside Namibia may be approved by the Executive Director if –
- (a) the Executive Director is satisfied that a need exists for such approval; and
 - (b) the aircraft maintenance organisation complies with the provisions of this Part.

145.01.2 Requirement for approval

- (1) No organisation may perform maintenance on or release to service –

- (a) an aircraft used or intended to be used for flight operations; or
- (b) an aircraft component fitted or intended to be fitted to the aircraft,

except under the authority of, and in accordance with the provisions of, an aircraft maintenance organisation approval including the operations specifications with the appropriate rating, issued under this Part.

- (2) No organisation other than the holder of an aircraft maintenance organisation approval including the operations specifications with the appropriate rating issued under this Part, may carry out –

- (a) the overhaul of an aircraft component;
- (b) maintenance on an aircraft or aircraft component where the relevant airworthiness data require the use of jig which is –
 - (i) approved or certified by the manufacturer; or
 - (ii) approved by the Executive Director;
- (c) maintenance on an aircraft component where the maintenance involves the disturbance of any part of the component which is supplied as a bench tested unit, except where –
 - (i) the disturbance is for the replacement or adjustment of a part or parts normally replaceable or adjustable in service; and
 - (ii) subsequent functioning of the part or parts disturbed can be proved without the use of test apparatus which is additional to the test apparatus used for normal functioning checks;
- (d) maintenance on an aircraft engine where the maintenance involves –
 - (i) dismantling and assembly of a piston engine except where this is to obtain access to the piston or cylinder assembly;
 - (ii) dismantling and assembly of any main casing or main rotating assembly of a turbine engine, except where this is for replacement of a main casing or rotating assembly, whether comprising the whole or part of a rotating system, and the maintenance manual for the engine provides instruction for the replacement, and the removal from the engine is achieved solely by disconnecting the flanges of main casings; or
 - (iii) disturbance of reduction gear;
- (e) aircraft propeller balancing other than *in situ* dynamic propeller balancing in accordance with the aircraft manufacturer's instructions; and

- (f) maintenance on a rotorcraft where the maintenance involves the dismantling of any transmission gearbox, except where this is for the separation of casing to obtain access for the purpose of internal inspection in accordance with the rotorcraft manufacturer's instructions.

(3) No organisation may release to service an aircraft or aircraft component which has undergone the maintenance referred to in sub-regulation (2), except under the authority of, and in accordance with the provisions of, an aircraft maintenance organisation approval including the operations specifications with the appropriate rating issued under this Part.

(4) The provisions of sub-regulations (2) and (3) do not apply in respect of any amateur-built aircraft, microlight aeroplane, gyroplane, airship, glider or free balloon, unless it is used in commercial operations.

145.01.3 Display of aircraft maintenance organisation approval

The holder of an aircraft maintenance organisation approval must display the approval in a prominent place, generally accessible to the public at such holder's principal place of business and, if a copy of the approval is displayed, must produce the original approval to an authorised officer, inspector or authorised person if so requested by such officer, inspector or person.

145.01.4 Advertisements

Any advertisement by an organisation indicating that it is an aircraft maintenance organisation, must –

- (a) reflect the number of the aircraft maintenance organisation approval issued by the Executive Director; and
- (b) contain a reference to the category under which and the aircraft or aircraft component for which the organisation is rated.

145.01.5 Safety inspections and audits

(1) An applicant for the issuing of an aircraft maintenance organisation approval must permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits which may be necessary to verify the validity of any application made in terms of this Part.

(2) The holder of an aircraft maintenance organisation approval must permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits, including safety inspections and audits of its partners or subcontractors, which may be necessary to determine compliance with the appropriate requirements prescribed in this Part.

145.01.6 Categories of ratings

The categories of ratings for an aircraft maintenance organisation approval are–

- (a) Category A ratings and Category B ratings for all types of aircraft, either singly or in the classes as prescribed in Document NAM-CATS 145;
- (b) Category B ratings for rotorcraft only, excluding the engine or engines, either singly or in the classes as prescribed in Document NAM-CATS 145;
- (c) Category C ratings for all types of engines, excluding engines to be installed in rotorcraft, and Category D ratings for all types of engines, either singly or in the classes as prescribed in Document NAM-CATS 145;
- (d) Category E ratings for all types of rotorcraft, either singly or in the classes as prescribed in Document NAM-CATS 145;
- (e) Category W ratings for all types of –
 - (i) electrical installations in all types of aircraft, excluding radio apparatus installations, either singly or in the classes as prescribed in Document NAM-CATS 145;
 - (ii) instruments installations in all types of aircraft, either singly or in the classes as prescribed in Document NAM-CATS 145; and

- (iii) radio apparatus installations in all types of aircraft, either singly or in the classes as prescribed in Document NAM-CATS 145; and
- (f) Category X ratings for aircraft equipment, instruments, components, accessories, auxiliaries or parts, either singly or in the classes as prescribed in Document NAM-CATS 145.

145.01.7 Privileges of approved aircraft maintenance organisation

(1) The holder of an aircraft maintenance organisation approval including the operations specifications with the appropriate rating must ensure that the privileges of such rating are not exercised unless the aircraft maintenance organisation has the necessary facilities, current technical data, tools, equipment, materials and competent personnel to perform the work in accordance with all current requirements regarding the maintenance and airworthiness of the particular type of aircraft, airframe, engine, aircraft component or other equipment.

(2) Notwithstanding anything to the contrary contained in the Regulations, the holder of an approval with the appropriate rating may, in circumstances where –

- (a) no appropriately licensed and rated aircraft maintenance engineer; or
- (b) no other approved and appropriately rated aircraft maintenance organisation, is available, rectify any defect in a similar type of aircraft for which the approval is rated provided that the person or organisation has relevant training and experience acceptable to the Executive Director and has obtained a limited authorization in writing from the Executive Director before commencing rectification of the said defect

(3) Where a defect in an aircraft which is not similar to the type of aircraft for which the approval is rated, requires rectification the holder of such approval must seek the approval of the Executive Director in writing for any proposed rectification citing the reasons for and nature of such rectification and must obtain a written limited authorization from the Executive Director prior to effecting such rectification.

145.01.8 Limitations on approved aircraft maintenance organisation

(1) The holder of an aircraft maintenance organisation approval may only maintain an aircraft or aircraft component for which it is approved.

(2) The holder of an approval may not maintain an aircraft or aircraft component for which it is approved unless such holder has available all the facilities, equipment, tooling, airworthiness data and certifying personnel necessary to maintain the aircraft or aircraft component in accordance with its manual of procedure and the requirements prescribed in this Part.

145.01.9 Register of approvals

(1) The Executive Director must maintain a register of all aircraft maintenance organisation approvals issued in terms of the regulations in this Part.

(2) The register must contain the following particulars:

- (a) the full name of the holder of the approval;
- (b) the postal address of the holder of the approval;
- (c) the date on which the approval was issued or renewed;
- (d) particulars of the rating issued to the holder of the approval; and
- (e) the nationality of the holder of the approval.

(3) The particulars referred to in sub-regulation (2) must be recorded in the register within seven days from the date on which the approval is issued by the Executive Director.

(4) The register must be kept in a safe place at the office of the Executive Director.

(5) A copy of the register must be furnished by the Executive Director, on payment of the appropriate fee as prescribed in Part 187, to any person who requests the copy.

145.01.10 Designation of airworthiness representatives

- (1) The Executive Director may, designate an airworthiness representative to perform the functions as prescribed in Document NAM-CATS 145.
- (2) The conditions and requirements for and the rules, procedures and standards pertaining to the designation referred to in sub-regulation (1) must be as prescribed in Document NAM-CATS 145.
- (3) The Executive Director must sign and issue to each designated airworthiness representative a document which must state the full name of such airworthiness representative and contain a statement that –
 - (a) such airworthiness representative has been designated in terms of sub-regulation (1); and
 - (b) such airworthiness representative is empowered to perform the functions referred to in sub-regulation (1).
 - (c) such airworthiness representative's designation is limited to the airworthiness functions for this part as defined and determined by the Executive director

145.01.11 Training and checking

- (1) The holder of an aircraft maintenance approval, issued in terms of this Part, must establish and maintain a training programme for aircraft maintenance personnel in his or her employ.
- (2) The approval holder must ensure that aircraft maintenance personnel –
 - (a) receive or has received type- or model-specific training in respect of the aircraft or aircraft components for which the organisation has received maintenance approval; and
 - (b) receive or has received regulatory and human factors training acceptable to the Executive Director and which is related to the work for which they are responsible.
 - (c) receive periodically recurrent training with specific attention to new technologies and maintenance techniques, as prescribed in Document NAM-CATS 145.
- (3) The training programme, contemplated in sub-regulation (1), must be part of the organisation's manual of procedure and must include:
 - (a) initial training to ensure that persons taking on new responsibilities are aware of their technical, administrative, and regulatory responsibilities;
 - (b) update training to ensure that personnel remain competent and are made aware of any change to their area of responsibility;
 - (c) additional training where it is shown to be necessary by a finding made under the quality assurance program or required due to changes in the regulations, applicable standards, or company procedures; and
 - (d) procedures to ensure staff are kept aware of maintenance safety related issues in general, by means of bulletin boards, information notices, company publications, verbal briefings, or by similar means.

145.01.12 Personnel record

- (1) The holder of an aircraft maintenance approval, issued in terms of this Part, must establish and maintain as prescribed in NAMCATS 145 for as long as the person is employed a record of
 - (a) all personal qualifications in respect of appointments made pursuant to 145.02.4 and in respect of assignments of functions.

- (b) all of the authorizations to sign a maintenance release pursuant to this regulation and
- (c) all of the training conducted pursuant to these regulations

(2) The holder of an aircraft maintenance approval, issued in terms of this Part, must provide a copy of a record required by this Section to the person to whom the record refers on the completion of each training activity or the granting of an authorization referred to in paragraph (1) (b).

(3) Initial and recurrent training may be provided only by the holder of an aviation training organisation approval issued in terms of Part 141, or by or on behalf of the original equipment manufacturer.

145.1.13 Approved Maintenance Organisation Certificate

- (1) The AMO certificate consists of two documents—
 - (a) A one page certificate signed by an authorised representative of the Authority; and
 - (b) A multi-page operations specifications signed by the Accountable manager or CEOs and the authorised representative of the Authority or containing the terms, conditions, and authorizations
- (2) No person may operate as an approved maintenance organisation without, an approved maintenance organisation certificate issued under this Part.
- (3) No person may operate as an approved maintenance organisation other than in accordance with the privileges and limitations of an approved maintenance organisation certificate issued under this Part.
- (4) An approved maintenance organisation may perform maintenance, preventive maintenance, or modifications on an aircraft, airframe, aircraft engine, propeller, appliance, component, or part thereof only for which it is rated and within the terms, conditions, and authorisations set out in its operations specifications.

(5) The approved maintenance organisation certificate must contain the following items and be in a format as prescribed in NAMCATS - 145

- (a) The certificate number specifically assigned to the approved maintenance organisation;
- (b) The name and location (specified main place of business) of the approved maintenance organisation ;
- (c) The date of issue and period of validity;
- (d) The ratings issued to the approved maintenance organisation and
- (e) the Authority signature.

(6) The approved maintenance organisation operations specifications will contain the following items and be in a format as shown in NAMCATS - 145

- (a) The certificate number specifically assigned to the approved maintenance organisation ;
- (b) The class or limited ratings issued in detail, including special approvals and limitations issued;
- (c) The date of issue or revision;
- (d) The signatures of the accountable manager or CEOs and the Authority; and
- (e) The certificate issued to each certificated maintenance organisation must be available in the premises for inspection by the public and the Authority.

Repeal of Existing Regulations

145.01.14 Subject to the provisions of regulation 183.00.2, the regulations in Chapters 21 and 22 of the Air Navigation Regulations, 1976, as amended, are hereby repealed.

145.01.15 Suspension And Cancellation Of Aircraft Maintenance Organisation Approval And Appeal

(1) Without prejudice to the powers of the Executive Director under the Act to suspend, revoke and impose conditions upon an aviation document an authorised officer, inspector or authorised person may suspend any certificate, approval or authorization issued under this part if -

- (a) after a safety inspection and audit carried out in terms of regulation 145.01.5, it is evident that the holder of the certificate, approval or authorization does not comply with the requirements prescribed in this Part, and such holder fails to remedy such non-compliance within 30 days after receiving notice in writing from the authorised officer, inspector or authorised person to do so; or
- (b) the authorised officer, inspector or authorised person is prevented by the holder of the certificate holder, approval, or authorization or any of its partners or subcontractors, to carry out a safety inspection and audit in terms of regulation 145.01.5; or
- (c) the suspension is necessary in the interests of aviation safety.

(2) The authorised officer, inspector or authorised person who has suspended an approval in terms of subregulation (1), must, deliver a report in writing to the Executive Director as soon as practicable after the suspension and stating the reasons for the suspension.

(3) The authorised officer, inspector or authorised person concerned must as soon as practicable submit a copy of the report referred to in subregulation (2), to the holder of the certificate, approval or authorization which has been suspended.

(4) The holder of a certificate, approval or authorization whose certificate, approval or authorization has been suspended may appeal against such suspension to the Executive Director, within 30 days after such holder becomes aware of such suspension.

(5) An appellant must deliver an appeal in writing, stating the reasons why, in his or her opinion, the suspension should be varied or set aside, and the appeal must include, if applicable, full particulars of any remedial action which may have been taken by the appellant to rectify the circumstances which resulted in such suspension.

(6) The Executive Director must acknowledge receipt of an appeal.

(7) The Executive Director may, subject to such conditions which the Executive Director may determine, confirm, vary or set aside the suspension referred to in subregulation (1) or cancel the certificate, approved or authorization.

SUBPART 2: APPROVAL OF AIRCRAFT MAINTENANCE ORGANISATION

145.02.1 Maintenance Procedures Manual (MPM)

(1) An applicant for an aircraft maintenance organisation approval must provide the Executive Director with its MPM and any other documentation that is necessary for the provision of the maintenance activities detailed in the applicant's exposition or manual. An applicant must also establish procedures which –

- (a) comply with the requirements prescribed in this Subpart; and
- (b) contain the information as prescribed in Document NAM-CATS 145.

(2) Subject to sub-regulations (5) and (6), the holder of an aircraft maintenance organisation approval must ensure that the details in its manual of procedure provide a current description of the organisation.

(3) The holder of an approval must –

- (a) ensure that each amendment to its manual of procedure meets the applicable requirements of this Part and any other relevant Part; and
- (b) comply with the amendment procedures contained in its MPM.

(4) The holder of an approval must provide the Executive Director with a copy of each amendment to its Maintenance procedures manual as soon as practicable after the amendment has been incorporated into the Maintenance procedures manual.

(5) The holder of an approval who intends to change any of the following must apply to and obtain the prior approval of the Executive Director:

- (a) The accountable manager;
- (b) the listed senior persons;
- (c) the maintenance ratings;
- (d) the operations specifications;
- (e) the procedures for changing the scope within a rating;
- (f) the locations at which maintenance is carried out;
- (g) the procedure for authorising persons to certify maintenance; or

(6) The Executive Director may specify conditions under which an approval holder must operate during or following any of the changes listed in sub-regulation (5), to ensure continued compliance with the requirements of this Part.

(7) The holder of an approval must comply with all conditions specified as contemplated in sub-regulation (6).

(8) If any change referred to in this regulation requires an amendment to the approval, the holder must forward the approval to the Executive Director immediately after the amended approval has been issued.

(9) The holder of an approval must make such amendments to its Manual of Procedure as the Executive Director may consider necessary in the interests of aviation safety.

145.02.2 Quality assurance system

(1) The applicant must establish a quality assurance system for the control and supervision of the maintenance of aircraft and aircraft components, covered by the application and to ensure compliance with, and adequacy of the procedures required by this part.

(2) The minimum standards for a quality assurance system must be as prescribed in Document NAM-CATS 145.

145.02.3 Accommodation and facilities

The applicant must satisfy the Executive Director that the following minimum requirements as well as those listed in NAMCATS-145 are met –

- (a) it has adequate accommodation and facilities for all maintenance to be performed by the aircraft maintenance organisation, ensuring in particular, effective security measures and protection from the weather;
- (b) specialised work areas are segregated as appropriate to ensure that environmental and work area contamination does not occur;
- (c) appropriate office accommodation is provided for the administration of the maintenance performed and, in particular, for the administration of the organisation's quality, planning and technical records;
- (d) the working environment is appropriate for each task carried out and, in particular, complies with any special requirements specified in the applicable airworthiness data;
- (e) storage facilities are provided for parts, equipment, tools and materials required by the organisation;
- (f) the storage facilities referred to in paragraph (e) provide security for serviceable parts and segregation of serviceable from unserviceable parts, and control deterioration of, and damage to, stored items; and
- (g) it has established procedures to ensure compliance with the requirements prescribed in paragraphs (d), (e) and (f).

145.02.4 Personnel requirements

(1) An applicant for an aircraft maintenance approval must, subject to sub-regulation (3), engage, employ or contract –

- (a) a senior person identified in writing as the chief executive officer or the accountable manager who has the authority to ensure that all activities undertaken by the applicant must be financed and carried out in accordance with the requirements prescribed by this Part;
- (b) a senior person or group of senior persons who are responsible for ensuring that the applicant complies with the requirements of this Part; such nominated person or

persons are accountable to the chief executive or accountable manager for the following functions –

- (i) maintenance control;
 - (ii) personnel authorisations;
 - (iii) internal quality assurance; and
- (c) sufficient personnel to plan, perform, supervise, inspect and certify the maintenance activities listed in the applicant's manual of procedure.
- (2) The applicant's senior personnel contemplated in paragraphs (a) and (b) of sub-regulation (1) must meet the minimum requirements as prescribed in Document NAM-CATS 145.
- (3) An applicant may not engage, employ or contract a senior person as chief executive officer or the accountable manager without prior approval of the Executive Director.
- (4) The applicant must –
- (a) establish a procedure to initially assess, and a procedure for maintaining, the competence of the personnel involved in planning, performing, supervising, inspecting or certifying the maintenance activities performed by the applicant; and
 - (b) provide such personnel with written evidence of the scope of their authorisation.
- (5) The holder of an approval must ensure that the personnel involved in planning, performing, supervising, inspecting, or certifying maintenance activities of the approval holder are engaged, employed, contracted by only one organisation.
- (6) The holder of an approval must state in its Manual of Procedure a list of its personnel who are responsible for certifying maintenance and such list must contain, at least, the following information:
- (a) The full names of the certifying personnel;
 - (b) The company authorisation number or identification stamp; and
 - (c) The licence number issued by the Executive Director.

145.02.5 Equipment, tools, and material

The applicant must satisfy the Executive Director that it has –

- (a) the equipment, tools and material necessary to perform adequately the approved scope of work as required by the applicable airworthiness data, its manual of procedure and the regulations in this Part; and the detailed requirements pertaining to equipment, tools and material contained in NAMCAT 145.
- (b) established a procedure to control and, where necessary, calibrate tools and other equipment at a frequency and to a standard to ensure serviceability, accuracy, traceability

145.02.6 Application for approval or amendment thereof

An application for the issuing of an aircraft maintenance organisation approval including the operations specifications, or an amendment thereof, must be –

- (a) made to the Executive Director in the appropriate form as prescribed in Document NAM-CATS 145; and
- (b) accompanied by –
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 145.02.1.

- (iii) Any additional relevant information the Executive Director may require the applicant to submit

145.02.7 Issuing of approval

(1) In considering an application referred to in regulation 145.02.7 the Executive Director may conduct any investigations he or she deems necessary to determine the applicant's ability to meet the requirements specified in the part .

(2) An applicant is entitled to an aircraft maintenance organisation approval containing such conditions as the Executive Director determines, if after investigations, the Executive Director is satisfied that –

- (a) the applicant meets the requirements prescribed in Part 145 as applicable and the applicant has compiled a statement of compliance which is accepted by the Executive Director;
- (b) the applicant's senior person or persons required by regulation 145.02.6 are fit and proper persons; and
- (c) the granting of the approval is not contrary to the interests of aviation safety.

145.02.8 Privileges

(1) The privileges of an aircraft maintenance organisation with a Category A rating approval are limited to aircraft for which the approval is rated and must be –

- (a) to release to service an aircraft, excluding its engine or engines;
- (b) to certify in the manner prescribed in the Regulations –
 - (i) work which the maintenance schedule relating to an aircraft authorises the holder of the approval to certify;
 - (ii) the assembly of an aircraft and any adjustment or minor modification of an aircraft; and
 - (iii) the installation or replacement of completed subassemblies, equipment, instruments and minor components of an aircraft, excluding its engine or engines; and
- (c) to release to service an aircraft, excluding its engine or engines, for a test flight.
- (d) For the purpose of sub-regulation (1) (b) (iii), a completed subassembly comprises a unit built up of individual components to form a complete unit which may include a wing, aileron, landing gear shock strut, wheel, complete landing gear, tail plane, fin, rudder and elevator.

(2) The privileges of an aircraft maintenance organisation approval with a Category B rating must be limited to aircraft for which the approval is rated and must be –

- (a) to certify in the manner prescribed in the Regulations –
 - (i) any overhaul, repair or modification of an aircraft, excluding its engine or engines, except –
 - (a) the overhaul, repair or modification of such item, equipment or apparatus which is to be certified by the holder of an approval with a Category X rating; and
 - (b) the installation and testing of such instrument, electrical equipment or radio apparatus which is to be certified by the holder of an approval with a Category W rating; and

- (ii) the manufacturing of components and parts in accordance with the appropriate approved specifications as prescribed in Part 21, if the manufacturing of the components and parts are necessary for the holder of the approval to complete a repair, modification or overhaul which it will certify;
 - (b) in respect of rotorcraft for which the approval is rated under Category A, to release to service a rotorcraft, excluding its engine or engines; and
 - (c) in respect of rotorcraft for which the approval is rated under Category E, to release to service a rotorcraft, excluding its engine or engines.
- (3) The privileges of an aircraft maintenance organisation approval with a Category C rating are limited to engines for which the approval is rated and are –
- (a) to release to service an engine installed in an aeroplane;
 - (b) to certify in the manner prescribed in the Regulations –
 - (i) work which the maintenance schedule relating to an aeroplane authorises the holder of the approval to certify;
 - (ii) the installation of an engine in an aeroplane;
 - (iii) any adjustment or minor modification of an aeroplane engine and the replacement of external components and of piston and cylinder assemblies;
 - (iv) the overhaul and testing of spark plugs; and
 - (v) any installation and maintenance, other than the overhaul, major modification or major repair, of propellers and the reassembly of variable-pitch propellers which may have been dismantled for transport purposes; and
 - (c) to release to service an aeroplane engine for a test flight.
- (4) The privileges of an aircraft maintenance organisation approval with a Category D rating are limited to engines for which the approval is rated and are –
- (a) to release to service an engine; and
 - (b) to certify in the manner prescribed in the Regulations –
 - (i) any overhaul, repair or modification of an engine or its accessories, except the overhaul, repair or modification of the ignition equipment, other than the spark plugs, and of the propeller, starter and generator which is to be certified by the holder of an approval with a Category X rating; and
 - (ii) the manufacturing of components and parts in accordance with the appropriate approved specifications as prescribed in Part 21, if the manufacturing of the components and parts are necessary for the holder of the approval to complete a repair, modification or overhaul which it will certify.
- (5) The privileges of an aircraft maintenance organisation approval with a Category E rating are limited to aircraft for which the approval is rated and are –
- (a) to release to service a rotorcraft;
 - (b) to certify in the manner prescribed in the Regulations –
 - (i) work which the maintenance schedule relating to a rotorcraft authorises the holder of the approval to certify;
 - (ii) the assembly of a rotorcraft and any adjustment or minor modification of a rotorcraft;
 - (iii) the installation or replacement of completed subassemblies, equipment, instruments and minor components of a rotorcraft;
 - (iv) any adjustment or minor modification of a rotorcraft engine and the replacement of external components and of piston and cylinder assemblies;

- (v) the overhaul and testing of spark plugs; and
- (vi) any installation and maintenance, other than the overhaul, major modification or major repair, of rotors and the reassembly of rotors which may have been dismantled for transport purposes; and

(c) to release to service a rotorcraft for a test flight.

(6) The privileges of an aircraft maintenance organisation approval with a Category W rating are limited to equipment for which the approval is rated and are –

- (a) to release to service the equipment; and
- (b) to certify in the manner prescribed in the Regulations –
 - (i) work which the maintenance schedule relating to the aircraft authorises the holder of the approval to certify;
 - (ii) any adjustment, maintenance or modification of such equipment; and
 - (iii) any installation of such equipment in aircraft and the replacement of components and parts of such equipment: Provided that no equipment may be dismantled for the purpose of making internal replacements.

(7) The privileges of an aircraft maintenance organisation approval with a Category X rating are limited to aircraft equipment, instruments, components, auxiliaries or parts for which the approval is rated and are –

- (a) to release to service the aircraft equipment, instruments, components, auxiliaries or parts; and
- (b) to certify in the manner prescribed in the Regulations –
 - (i) their overhaul, repair, testing and modification; and
 - (ii) the manufacturing of components and parts in accordance with the appropriate approved specifications as prescribed Part 21, if the manufacturing of the components and parts are necessary for the holder of the approval to complete a repair, overhaul, test or modification which it will certify.

145.02.9 Period of validity

(1) An aircraft maintenance organisation approval is valid for the period determined by the Executive Director, which period may not exceed two years, calculated from the date of issuing or renewal thereof.

(2) The approval remains in force until it expires or is suspended by an authorised officer, inspector or authorised person, or cancelled by the Executive Director.

(3) The holder of an approval which expires, must forthwith surrender the approval to the Executive Director.

(4) The holder of an approval which is suspended, must forthwith produce the approval upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

(5) The holder of an approval which is cancelled, must, within 30 days from the date on which the approval is cancelled, surrender such approval to the Executive Director.

(6) Each holder of an approval that ceases to offer maintenance services must notify the Executive Director in writing within 30 days of the date of cessation.

(7) The notification required by paragraph (6) must include a request for revocation of the maintenance organisation certificate.

145.02.10 Transferability

(1) Subject to the provisions of sub-regulation (2), an aircraft maintenance organisation approval including the operations specifications, is not transferable.

(2) A change in ownership of the holder of an approval including the operations specifications, is deemed to be a change of significance referred to in regulation 145.02.13.

145.02.11 Renewal of approval

(1) An application for the renewal of an aircraft maintenance organisation approval including the operations specifications, must be –

- (a) made to the Executive Director in the appropriate form as prescribed by the Executive Director; and
- (b) accompanied by the appropriate fee as prescribed in Part 187.

(2) The holder of the approval must at least 60 days immediately preceding the date on which such approval expires, apply for the renewal of such approval.

(3) In considering an application referred to in regulation 145.02.11 the Executive Director may conduct any investigations he or she deems necessary to determine the applicant's ability to meet the requirements specified in this part .

145.02.12 Changes in quality assurance or safety management system

(1) If the holder of an aircraft maintenance organisation approval desires to make any change in either the quality assurance system referred to in regulation 145.02.2, or the safety management system referred to in regulation 145.02.20 which is significant in the demonstration of compliance with the appropriate requirements prescribed in this Part, such holder must apply to the Executive Director for the approval of such change.

(2) The provisions of regulation 145.02.7 must apply with the necessary changes to an application for the approval of a change in either the quality assurance system or the safety management system.

(3) An application for the approval of a change in either the quality assurance system or the safety management system must be granted by the Executive Director if the applicant satisfies the Executive Director, upon submission of appropriate proposed changes to the applicable manual of procedure, that it will continue to comply with the provisions of regulations 145.02.1 to 145.02.5 inclusive, and regulation 145.02.20 after the implementation of such approved change.

145.02.13 Duties of holder of approval

(1) The holder of an aircraft maintenance organisation approval including the operations specifications must –

- (a) hold at least one complete and current copy of its manual of procedure referred to in regulation 145.02.1, at each workplace specified in the manual of procedure;
- (b) comply with all procedures detailed in the manual of procedure;
- (c) make each applicable part of the manual of procedure available to the personnel who require those parts to carry out their duties; and
- (d) continue to comply with the appropriate requirements prescribed in this Part.

(2) The holder of an approval must ensure that –

- (a) all persons who will be directly in charge of any maintenance or inspection performed on behalf of the aircraft maintenance organisation; and
- (b) all personnel who are authorised to issue on behalf of the aircraft maintenance organisation certificates of release to service and certificates relating to the maintenance of an aircraft, are appropriately licensed and rated in terms of Part 66, or have been issued by him or her with a certification authorisation with the appropriate rating, as provided for in the organisation's manual of procedure in accordance with regulation 43.03.1(1)(b).

145.02.14 Record of certifying personnel

- (1) The holder of an aircraft maintenance organisation must maintain a record of all certifying personnel as prescribed in the NAMCATS-145, which record must include particulars of the scope of their authorisation, qualification, record details of the experience; and
- (2) The holder of an approval must provide its certifying personnel with evidence of the scope of their authorisation.
- (3) The record referred to in sub-regulation (1) must be retained by the holder of the approval for a period of five years from the date on which the certifying personnel member ceases to be authorised by such holder.

145.02.15 Maintenance records

- (1) The holder of an aircraft maintenance organisation approval with appropriate Category rating must establish procedures to identify, collect, index, store, and maintain accurate records that are necessary to ensure that each product or component is fit for release-to-service.
- (2) The holder of an aircraft maintenance organisation approval with appropriate Category rating must keep adequate records of all maintenance performed by the aircraft maintenance organisation.
- (3) The records referred to in sub-regulation (2) must –
 - (a) indicate the name of each person who performed the work;
 - (b) indicate the name of each person who inspected the work; and
 - (c) indicate the approval number of the maintenance organisation
 - (c) be retained for at least five years from the date on which the aircraft or aircraft component to which the work relates, was released to service.
- (4) The holder of an approval must provide a copy of each certificate of release to service to the operator of the aircraft, together with a copy of any specific airworthiness data used for repairs or modifications carried out.
- (5) The holder of an approval must establish a procedure for recording maintenance details and for the retention of such maintenance records.

145.02.16 Reports on defects or non-airworthy conditions

- (1) The holder of an aircraft maintenance organisation approval must report to the Executive Director, the state of registry, and the applicable design organisation for the aircraft or component any defect or condition of an aircraft or aircraft component which that has resulted or may result in an unsafe condition that or a hazard that could seriously affect flight safety within 48 hours from the moment the defect or condition to which the report relates, has been identified.
- (2) The holder of an aircraft maintenance approval must establish procedures for –
 - (a) collecting, investigating, and analyzing information relating to defects in the aircraft or component maintained by the applicant and distributing that information to –
 - (i) the applicable design organisation;
 - (ii) the owner or operator of that aircraft or component; and
 - (iii) the state of registry of that aircraft
 - (b) providing defect incident information to the Executive Director in accordance with the requirements of the Act or regulations made under the Act.

145.02.17 Airworthiness data

- (1) The holder of an aircraft maintenance organisation approval must –
 - (a) keep all airworthiness data necessary to support the maintenance work performed by the aircraft maintenance organisation; and
 - (b) make the airworthiness data available to all personnel who need access to such data to discharge their allocated responsibilities.
- (2) The airworthiness data referred to in sub-regulation (1) must include all relevant data issued by –
 - (a) the Executive Director; and
 - (b) the holder of a type certificate issued –
 - (i) in terms of Part 21; or
 - (ii) by an appropriate authority.
- (3) The Executive Director may classify in Document NAM-CATS 145, data issued by an appropriate authority or the holder of a type certificate as mandatory, in which case the holder of an approval must keep such data.
- (4) The holder of an approval must establish a procedure to control and amend the data referred to in sub-regulations (1), (2) and (3).
- (5) If the holder of an approval intends to produce its own airworthiness data, additional to the data referred to in sub-regulation (1), such holder must establish a procedure for producing and controlling such additional data.

145.02.18 Capability List

- (1) The holder of an aircraft maintenance organisation approval must prepare and retain a current capability list approved by the Executive Director. The approved maintenance organisation may not perform maintenance, preventive maintenance or modifications on an aircraft or aircraft component until the aircraft or aircraft component has been listed on the capability list in accordance with this Part.
- (2) The capability list must identify each aircraft or aircraft component by make and model, part number, or other nomenclature designated by the aircraft or aircraft component's manufacturer.
- (3) An aircraft or aircraft component may be listed on the capability list only if the aircraft or aircraft component is within the scope of the ratings and classes of the approved maintenance organisation's certificate, and only after the approved maintenance organisation has performed a self-evaluation in accordance with 145.02.18(4).
- (4) The holder of an approval must perform the self-evaluation described in this paragraph to determine that the maintenance organisation has all of the facilities, equipment, material, technical data, processes, housing, and trained personnel in place to perform the work on the aircraft or aircraft component as required by this Part. If the approved maintenance organisation makes that determination, it may list the article on the capability list.
- (5) The document of the evaluation described in paragraph (4) of this section must be signed by the accountable manager or CEOs and must be retained on file by the holder of the approval.
- (6) Upon listing an additional article on its capability list, the holder of the approval must send a copy of the list to the Executive Director having jurisdiction over the approved maintenance organisation for approval.
- (7) The capability list(s) must be available in the premises for inspection by the public and the Executive Director.
- (8) The self-evaluations must be available in the premises for inspection by the Executive Director.
- (9) The holder of the approval must retain the capability list(s) and self-evaluation(s) for two years from the date accepted by the accountable manager or CEO.

145.02.19 Contract Maintenance

- (1) The holder of an approval may contract a maintenance function pertaining to an aircraft or aircraft component to an outside source provided—
 - (a) The Executive Director has approved the maintenance function to be contracted to the outside source and the associated contract document: and
 - (b) The holder of an approval maintains and makes available to the Executive Director in a format acceptable to the Executive Director, the following information—
 - (i) The maintenance functions contracted to each outside facility, and
 - (ii) The name of each outside facility to whom the holder of the approval contracts maintenance functions and the type of certificate and ratings, if any, held by each facility.

145.02.20 Safety Management System

- (1) An Approved Maintenance Organisation must ensure an acceptable level of safety by establishing and maintaining safety management system that meets the requirements of Part 140 and NAM-CATS 140.

- (2) The operator must adhere to its approved safety management system.

145.02.21 **AMO Performance Standards**

(1) Each certificated approved maintenance organisation that performs any maintenance, preventive maintenance, modifications for an air operator certificated under Part 121, 127,135 having an approved maintenance program under NAMCARs 2001 as amended must perform that work in accordance with the AOC holder's manuals.

(2) Except as provided in paragraph (1), each certificated approved maintenance organisation must perform its maintenance and modification operations in accordance with the applicable regulations in Part 43. It must maintain, in current condition, all manufacturer's service manuals, instructions, and service bulletins that relate to the articles that it maintains or modifies.

(3) In addition, each certificated approved maintenance organisation with an avionics rating must comply with those sections in NAMCARs 2001 as amended that apply to electronic systems, and must use materials that conform to approved specifications for equipment appropriate to its rating. It must use test apparatus, shop equipment, performance standards, test methods, modifications, and calibrations that conform to the manufacturer's specifications or instructions, approved specification, and if not otherwise specified, to accepted good practices of the aircraft avionics industry.

145.02.22 **Changes to the AMO approval holder's organization**

(1) Subject to paragraphs (4) and (5), the holder of a maintenance organisation approval must amend the details in the approval holder's Maintenance Procedures Manual (MPM) required under regulation 145.02.1 to ensure that the MPM provides a current description of the organisation.

(2) The approval holder must—

(a) ensure that each amendment to its MPM meets the applicable requirements of this Part and any other relevant Part; and

(b) comply with the amendment procedures contained in its MPM; and

(3) The approval holder must provide the Executive Director with a copy of each amendment to its MPM as soon as practicable for approval.

(4) An approval proposing to change any of the following, must apply to and obtain the prior acceptance of the Executive Director:

- (i) the chief executive;
- (ii) the listed senior persons;
- (iii) the maintenance ratings;
- (iv) the procedures for changing the scope within a category rating;
- (v) the locations at which maintenance is carried out;
- (vi) the procedure for authorising persons to certify maintenance.

- (5) The Executive Director may specify conditions under which an approval holder must operate during or following any of the changes listed in paragraph (4), to ensure continued compliance with the requirements of this Part.
- (6) An approval holder must comply with any conditions specified under paragraph (5).
- (7) If any change referred to in this rule requires an amendment to the certificate, the approval holder must forward the certificate to the Executive Director immediately.
- (8) An AMO approval holder must make such amendments to its MPM as the Executive Director may consider necessary in the interests of aviation safety.