

**PART 21**  
**AIRCRAFT: CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS AND**  
**AIRWORTHINESS OF AIRCRAFT**

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**SUBPART 1: GENERAL****Applicability**

- 21.01.1 (1)** This Part applies to -
- (a) the type certification of products to be manufactured in Namibia;
  - (b) the approval of changes to type certificates;
  - (c) the type acceptance certification of products to be imported into Namibia;
  - (d) the issuing of supplemental type certificates;
  - (e) the issuing of production certificates;
  - (f) the airworthiness certification of aircraft;
  - (g) the approval of parts and appliances to be manufactured in Namibia;
  - (h) the approval of parts and appliances to be imported into Namibia;
  - (i) the issuing of export airworthiness approvals;
  - (j) the issuing of NAM-TSO authorisations;
  - (j) the distribution of aeronautical products in Namibia; and
  - (k) the identification of aircraft, aircraft engines, propellers, appliances and components of aircraft parts.
- (2)** This Part does not apply to -
- (a) hang gliders;
  - (b) paragliders;
  - (c) unmanned free balloons;
  - (d) captive balloons;
  - (e) kites;
  - (f) model aircraft;
  - (g) parachutes;
  - (h) powered paragliders;

- (i) rigid airships; and
- (j) remotely piloted aircraft.

### **Types of aircraft**

**21.01.2** (1) For the purposes of the regulations in this Part, the applicable types of aircraft are -

- (a) gliders, power-assisted gliders and touring gliders;
- (b) very light aeroplanes;
- (c) aeroplanes of normal, utility, acrobatic and commuter categories;
- (d) aeroplanes of the transport category;
- (e) rotorcraft of the normal category;
- (f) rotorcraft of the transport category;
- (g) manned free balloons; and (h) remotely piloted aircraft.

(2) The airworthiness design standards for each type of aircraft referred to in subregulation (1) are those referred to in 21.02.3.

(3) A person may not operate an aircraft within Namibia or apply for registration of an aircraft in Namibia, unless the aircraft and the aeronautical products therein have received type certification -

- (a) in terms of the regulations in this Part; or
- (b) from the State of Design and a production approval from the State of Manufacture by the appropriate authority of those states.

### **Reporting of failures, malfunctions and defects and other occurrences**

**21.01.3** (1) The holder of any type certificate, type acceptance certificate, supplemental type certificate, production certificate, NAM-PMA or NAM-TSO authorisation issued in terms of the regulations in this Part, must, in accordance with subregulation (3), and in writing, report to the Executive Director the occurrence and circumstances of any failure, malfunction or defect in any product, part or appliance manufactured by such holder which -

- (a) has resulted in any of the occurrences specified in Document NAM-CATSAR; or
- (b) has passed through such holder's quality assurance system and may result in any of the occurrences specified in Document NAM-CATS-AR.

(2) A report referred to in subregulation (1) must include -

- (a) the aircraft serial number;

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- (b) if the failure, malfunction or defect is associated with an article approved under NAM-TSO authorisation, the article serial number and model designation;
- (c) if the failure, malfunction or defect is associated with an aircraft engine or aircraft propeller, the engine or propeller serial number;
- (d) the product model;
- (e) an identification, including the part number, of the part, component or system involved; and
- (f) the nature of the failure, malfunction or defect.

(3) The holder of a certificate or an authorisation referred to in subregulation (1) must submit the report referred to in that subregulation to the Executive Director within 24 hours after the holder has become aware of the failure, malfunction or defect required to be reported, but a report which was due on a -

- (a) Saturday or a Sunday, may be submitted on the following Monday; or (b) public holiday, may be submitted on the next working day.

(4) In the case of the investigation of an accident or service difficulty report indicating that a product is unsafe because of a manufacturing or design defect, the holder concerned must report to the Executive Director the results of its investigation and any action taken or proposed by such holder to correct such defect.

(5) If action is required to correct the defect in existing products the holder concerned must submit to the Executive Director, the data necessary for the issuing of an appropriate airworthiness directive by the Executive Director.

**Issuing of airworthiness directives**

**21.01.4** (1) The Executive Director may, pursuant to section 38(3) of the Act and in the interest of aviation safety, issue an appropriate airworthiness directive to correct an unsafe condition in a product.

(2) If the Executive Director issues an airworthiness directive for a product, the holder of any certificate issued under the regulations in this Part for the product type, must –

- (a) upon the request of the Executive Director, submit appropriate design changes to the Executive Director for approval; and
- (b) upon approval of the design changes, make the descriptive data covering the changes available to all operators of the product.

(3) An operator of an aircraft may not operate the aircraft unless the operator complies with

- (a) every applicable airworthiness directive issued by the Executive Director in accordance with this subregulation (1); and

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- (b) for an aircraft in excess of 5 700 kilogrammes MCTOW, or in the case of an aircraft operated in terms of Part 135, less than 5 700 kilogrammes MCTOW, every -
  - (i) applicable airworthiness directive issued by the State of Design of the aircraft; and
  - (ii) applicable airworthiness directive issued by the State of Design of a product that is used on the aircraft; or
- (c) an alternative means of compliance in the manner contemplated in Part 3 in respect of an airworthiness directive that is applicable to the aircraft under paragraphs (a) and (b).

**Safety inspections and audits**

**21.01.5** (1) An applicant for the issuing of any certificate, approval or authorisation in terms this Part must permit an authorised officer, inspector or authorised person to carry out such safety inspections and flight and ground tests which may be necessary to verify the validity of any application made in terms of this Part.

(2) The holder of any certificate, approval or authorisation issued under this Part 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.

**Register of certificates**

**21.01.6** (1) The Executive Director must, pursuant to section 52 of the Act, maintain or cause to be maintained a register of all certificates, approvals or authorisations issued in terms of this Part.

- (2) The register must contain the following particulars -
  - (a) the full name of the holder of the certificate, approval or authorisation;
  - (b) the postal address of the holder of the certificate, approval or authorisation;
  - (c) the date on which the certificate, approval or authorisation was issued;
  - (d) the nationality of the holder of the certificate, approval or authorisation;
  - (e) the number of the certificate, approval or authorisation issued;
  - (f) the telephone, telefax numbers, email address of the holder of the certificate, approval or authorisation; and
  - (g) the date on which the certificate, approval or authorisation was suspended or revoked, if applicable.

(3) The Executive Director must record or cause to be recorded the particulars referred to in subregulation (2) in the register within seven days from the date on which the certificate, approval or authorisation is issued by the Executive Director.

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(4) The Executive Director, on payment of the appropriate fee as prescribed in Part 187, must furnish a copy of the register to any person who requests for the copy.

**Unapproved (bogus) parts**

**21.01.7** (1) A person may not trade in any unapproved (bogus) part intended for installation, or install any unapproved part, in a type certificated product.

(2) A person authorised by these regulations to install parts in a type certificated product, must, when installing a part, ensure that the part –

- (a) is not an unapproved (bogus) part;
- (b) is an approved and serviceable part; and
- (c) conforms to the standard determined by the appropriate type certificate holder as being suitable for the intended application.

(3) The person referred to in subregulation (2) must, when obtaining the part from the supplier, ensure that the purchase order contains an accurate description of the part and sufficient details to indicate that such part is an approved part.

**Suspension, revocation and appeal**

**21.01.8** (1) Without prejudice to the Executive Director's powers to suspend, revoke or impose conditions upon any aviation document under sections 42 and 43 of the Act, an authorised officer, inspector or authorised person may suspend any certificate, approval or authorisation issued under this Part, if -

- (a) after safety inspection or an audit carried out in terms of regulation 21.01.5, it is evident that the holder of the certificate, approval or authorisation
  - (i) does not comply with the requirements prescribed in this Part; and
  - (ii) has failed to remedy such non-compliance within 30 days after receiving notice in writing from the authorised officer, inspector or authorised person to do so;
- (b) the authorised officer, inspector or authorised person is prevented by the holder of the certificate, approval or authorisation or a person acting on behalf of that holder, from carrying out a safety inspection and audit in terms of regulation 21.01.5; or
- (c) the suspension is necessary in the interest of aviation safety.

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

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

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(4) The holder of a certificate, approval or authorisation whose certificate, approval or authorisation has been suspended may seek a review of the actions of the authorised officer, inspector or authorised person's actions made in subregulation (1) pursuant to Subpart 4 of Part 13.

(5) A person in respect of whom a decision is taken under this regulation may, after exhausting the review process referred to in subregulation (4), appeal against the decision to the High Court under section 225 of the Act.

**Alternative means of compliance**

**21.01.9** An operator of an aircraft who is required under regulation 21.01.4(3)(a) and (b) to comply with the requirements of an airworthiness directive, may apply to the Executive Director for the approval of an alternative means of complying with the requirements specified in the airworthiness directive in the manner set out in in Subpart 3 of Part 3.

**Deferred compliance**

**21.01.10** If an airworthiness directive requires a series of inspections of an aircraft or a product installed in an aircraft, the operator of the aircraft may, unless specifically prohibited by the airworthiness directive, defer a required inspection, except the initial inspection, for a period of not more than 10% of the inspection interval specified in the airworthiness directive to allow the inspection to be carried out during other scheduled maintenance.

**Conflict with other continuing airworthiness instructions**

**21.01.11** If there is a conflict between the requirements specified in an airworthiness directive and any other applicable instruction for continuing airworthiness, the requirements specified in the airworthiness directive prevail.

**SUBPART 2:  
TYPE CERTIFICATES**

**Categories of type certificates**

**21.02.1** The categories of type certificates are -

- (a) standard category type certificate for a Class I product to be manufactured in Namibia; and
- (b) restricted category type certificate for a Class I product to be manufactured in Namibia.

**Application for type certificate**

**21.02.2** (1) An application for the issue or amendment of a type certificate for a Class I product must be -

- (a) made to the Executive Director in the appropriate form set out in Document NAM-CATS-AR; and
- (b) accompanied by -
  - (i) a copy of the approval held by the selected design organisation;
  - (ii) in the case of an application for an aircraft type, a three-view drawing of the aircraft type and available preliminary basic data;
  - (iii) in the case of an application for an aircraft engine type or an aircraft propeller type, a description of the -
    - (aa) design features;
    - (bb) operating characteristics; and
    - (cc) proposed operating limitations;
  - (iv) the proposed certification basis; and
  - (v) the appropriate fee as prescribed in Part 187.
- (2) An application referred to in subregulation (1) is valid -
  - (a) in the case of an application for an aeroplane type with a maximum certificated mass exceeding 5 700 kilogrammes, for a period of five years;
  - (b) in the case of an application for an aeroplane type with a maximum certificated mass of 5 700 kilogrammes or less, for a period of three years;
  - (c) in the case of an application for a rotorcraft type with a maximum certificated mass exceeding 2 730 kilogrammes, for a period of five years;

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- (d) in the case of an application for a rotorcraft type with a maximum certificated mass of 2730 kilogrammes or less, for a period of three years,

calculated from the date on which the application is submitted to the Executive Director.

- (3) If a type certificate is not issued within the appropriate period referred to in subregulation (2), the applicant may -
  - (a) submit a new application in accordance with the provisions of subregulation (1); or
  - (b) submit an application to extend the original application made in terms of subregulation (1), and comply with the appropriate airworthiness design standards referred to in regulation 21.02.3, effective on a date selected by the applicant: Provided that such date of validity precedes the date of the issuing of the type certificate by the appropriate period referred to in subregulation (2) in respect of the original application.

**Airworthiness design standards**

**21.02.3** (1) An applicant for the issue or amendment of a type certificate for a Class I product must provide the Executive Director with proof that -

- (a) the product complies with the appropriate airworthiness design standards in force as set out in Document NAM-CATS-AR;
- (b) the product complies with the appropriate fuel venting and engine emission standards and aircraft noise standards referred to in Part 34 and Part 36;
- (c) the product complies with any special conditions prescribed by the State of Design of the product;
- (d) any airworthiness design standards not complied with are compensated for by factors providing an equivalent level of safety; and
- (e) in the case of an aircraft type, no feature or characteristic makes the aircraft type unsafe for the intended use.

(2) If the applicant selects a later date referred to in subregulation (1)(a), the applicant must provide proof that the product complies with any other airworthiness design standard which the Executive Director determines is directly related.

- (3) Where -
  - (a) there are no airworthiness design standards applicable to a Namibian registered aircraft set out Document NAM-CATS-AR as contemplated in subregulation(1)(a); or
  - (b) Document NAM-CATS-AR does not contain a code of airworthiness design standards applicable to a Namibian registered aircraft,

the applicable airworthiness design standards in respect of any such aircraft are the requirements and mandatory design standards of the State of Design or a code of airworthiness which code complies with Annex 8 to the Chicago Convention.

**Type design**

**21.02.4** An applicant for the issue or amendment of a type certificate for a Class I product must

-

- (a) provide the Executive Director with a type design consisting of -
  - (i) the drawings and specifications necessary to define the configuration and the design features of the product which have been shown to comply with the appropriate airworthiness design standards referred to in regulation 21.02.3;
  - (ii) a list of the drawings and specifications referred to in subparagraph (i);
  - (iii) information on dimensions, materials and processes and on methods of manufacture and assembly of the product necessary to ensure the conformity of the product;
  - (iv) the airworthiness limitations specified in the appropriate airworthiness design standards referred to in regulation 21.02.3; and
  - (v) any other data necessary to allow, by comparison, the determination of the airworthiness, noise characteristics, fuel venting and engine emissions, if applicable, of later products of the same type; and
- (b) identify each type design and each variant within the type design.

**Inspections and tests**

**21.02.5** (1) An applicant for the issue or amendment of a type certificate for a Class I product must inspect and test a product of the type to ensure that -

- (a) the product complies with the appropriate airworthiness design standards referred to in regulation 21.02.3;
  - (b) the product complies with the appropriate fuel venting and engine emission standards and aircraft noise standards referred to in Part 34 and Part 36;
  - (c) the materials and product conform to the specifications in the type design;
  - (d) all parts in the product conform to the drawings in the type design; and
  - (e) the manufacturing processes, construction and assembly conform to those specified in the type design.
- (2) The applicant must, after making the inspections and tests referred to in subregulation (1) -
- (a) permit the Executive Director to perform any inspection and flight and ground tests which the Executive Director may require;
  - (b) provide proof to the Executive Director that the product complies with the requirements referred to in subregulation (1)( c), (d) and (e); and

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- (c) ensure that the product remains unchanged between the time that the product is shown to comply with the requirements referred to in subregulation (1) (c), (d) and (e), and the time of presentation to the Executive Director for testing.

**Statements of conformity**

**21.02.6** An applicant for the issue or amendment of a type certificate presenting a product to the Executive Director for the tests referred to in regulation 21.02.5(2), must provide the Executive Director with a statement of conformity stating that -

- (a) the applicant has complied with the requirements referred to in regulation 21.02.5(1)(c), (d) and (e); and
- (b) the product complies with the applicable type design.

**Flight tests**

**21.02.7** (1) Subject to the provisions of subregulations (2) and (3), an applicant for the issue or amendment of a type certificate for an aircraft must carry out such flight tests as the Executive Director may require to determine whether -

- (a) the aircraft complies with the appropriate airworthiness design standards referred to in regulation 21.02.3;
  - (b) the aircraft and the aircraft components and equipment are reliable and function properly.
- (2) Before carrying out any flight test referred to in subregulation (1), the applicant must ensure that –
- (a) the aircraft complies with the structural requirements of the appropriate airworthiness design standards referred to in regulation 21.02.3;
  - (b) the aircraft has undergone the necessary ground inspections and tests; and
  - (c) the aircraft conforms to the type design.
- (3) The flight tests referred to in subregulation (1) must be carried out in accordance with the requirements set out in Document NAM-CATS-AR.

**Issue of type certificate**

**21.02.8** (1) The Executive Director must grant an application in terms of regulation 21.02.2 and issue a type certificate for a Class I product if -

- (a) the applicant complies with the provisions of regulations 21.02.3 to 21.02. 7, inclusive; and
- (b) the inspection and testing of the product confirms that the product complies with the appropriate airworthiness design standards referred to in regulation 21.02.3.

(2) A type certificate may be issued in both the standard and restricted categories referred to in regulation 21.02.1 if the provisions of regulations 21.02.3 to 21.02.7, inclusive for each category are complied with.

(3) A restricted category type certificate must specify the operational purposes for which the product is certificated.

(4) A type certificate is issued on the appropriate form set out in Document NAM-CATS-AR.

#### **Privileges of holder of type certificate**

**21.02.9** The holder of a type certificate is entitled to -

- (a) upon compliance with the appropriate requirements prescribed in Subpart 7, obtain a production certificate for the type certificated product concerned;
- (b) obtain approval of replacement parts for such product;
- (c) in the case of an aircraft, upon compliance with the appropriate requirements prescribed in Subpart 8, obtain a certificate of airworthiness; and
- (d) in the case of an aircraft engine or propeller, obtain approval for the installation thereof on a certificated aircraft.

#### **Period of validity**

**21.02.10** (1) A type certificate is valid until it is surrendered by the holder thereof, or is suspended by the Executive Director or by an authorised officer, inspector or authorised person, or revoked by the Executive Director pursuant to regulation 21.01.8.

(2) The holder of a type certificate which is suspended must forthwith produce the type certificate upon suspension thereof to the Executive Director or to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

(3) The holder of a type certificate which is revoked must forthwith surrender such type certificate to the Executive Director.

#### **Transferability certificate**

**21.02.11** The holder of a type certificate must, before transferring the type certificate -

- (a) notify the Executive Director in writing of the name and address of -
  - (i) the transferee; and
  - (ii) the subsequent selected design organisation; and
- (b) produce the certificate to the Executive Director for amendment.

**Special conditions**

**21.02.12** The Executive Director may impose special conditions for a Class I product to establish a level of safety equivalent to the appropriate airworthiness design standards referred to in regulation 21.02.3, if the Executive Director determines that the airworthiness design standards do not contain adequate or appropriate safety levels because -

- (a) the product has novel or unusual design features relative to the design practices on which the appropriate airworthiness design standards are based; or
- (b) the intended use of the product is unconventional.

**Duties of holder of type certificate**

**21.02.13** The holder of a type certificate must -

- (a) keep the original type certificate in a safe place and produce such certificate to an authorised officer, inspector or authorised person for inspection if so requested by such officer, inspector or person;
- (b) retain all relevant design information, drawings, test reports and inspection records of the product for a period of two years from the date on which the last example of the product has been permanently withdrawn from service;
- (c) produce the design information, drawings, test reports and inspection records to an authorised officer, inspector or authorised person for inspection if so requested by such officer, inspector or person;
- (d) provide at least one set of instructions for safe operation and continued airworthiness, prepared in accordance with the appropriate airworthiness design standards referred to in regulation 21.02.3, to each purchaser of the product upon its delivery or upon the issuing of the first standard certificate of airworthiness for the product concerned, whichever occurs later;
- (e) make the instructions referred to in paragraph (d), and any changes to those instructions, available to any other person required in terms of the regulations in this Part to comply with the instructions;
- (f) develop and maintain a system for receiving and analysing information relating to defects in the product type;
- (g) inform each owner of a product of the same type of the details of the system developed according to the provisions of paragraph (f); and
- (h) report to the Executive Director any failure, malfunction or defect in accordance with the provisions of regulation 21.01.3.

**SUBPART 3  
CHANGES TO TYPE CERTIFICATES**

**Changes in type design**

**21.03.1** The changes in type design for products are -

- (a) a minor change;
- (b) a major change;
- (c) an acoustical change; and
- (d) an emission change.

**Reporting of minor changes in type design**

**21.03.2** The holder of a type certificate must in writing report all minor changes in a type design to the Executive Director prior to the implementation of such changes.

**Approval of major changes in type design**

**21.03.3** (1) The holder of a type certificate who applies for the approval of a major change in a type design, must submit to the Executive Director substantiating data and necessary descriptive data for inclusion in the type design.

(2) Approval of a major change in the type design of an aircraft engine must be limited to the specific engine configuration upon which the change is made, unless the applicant –

- (a) identifies in the necessary descriptive data for inclusion in the type design, the other configurations of the same engine type for which approval is requested; and
- (b) shows that the change is compatible with such other configurations.

**Required design changes**

**21.03.4** (1) In the event of the Executive Director issuing an airworthiness directive, the holder of the type certificate for the product concerned must –

- (a) if design changes are necessary to correct the unsafe condition of such product, submit the appropriate design changes and substantiation data to the Executive Director for approval, when required to do so; and
- (b) upon approval of the design changes, make available the descriptive data covering the changes to all operators of products previously certificated under the type certificate.

(2) In a case where there are no current unsafe conditions, but the Executive Director or the holder of the type certificate finds through service experience that changes in type design will contribute to the safety of the product, the holder of the type certificate may submit appropriate design changes and substantiation data to the Executive Director for approval.

(3) Upon approval of the design changes referred to in subregulation (2), the holder of the type certificate must make available information on the design changes to all operators of the same type of product.

**Airworthiness design standards**

**21.03.5** An applicant for the approval of a change to a type certificate must comply with the appropriate airworthiness design standards

referred to in regulation 21.02.3.

#### **SUBPART 4 ACCEPTANCE OF TYPE CERTIFICATES**

##### **Categories of type acceptance certificates**

**21.04.1** The categories of type acceptance certificates are -

- (a) standard category type acceptance certificate for a Class I product to be imported into Namibia; and
- (b) restricted category type acceptance certificate for a Class I product to be imported into Namibia.

##### **Application for type acceptance certificate**

**21.04.2** An application for the issue of a type acceptance certificate for a Class I product must be -

- (a) made in the appropriate form set out in Document NAM-CATS-AR; and
- (b) accompanied by -
  - (i) the appropriate fee as prescribed in Part 187; and
  - (ii) proof of compliance with the provisions of regulations 21.04.3 and 21.04.4.

##### **Airworthiness design standards**

**21.04.3** (1) In this regulation, “appropriate airworthiness design standards” means the standards referred to in regulation 21.02.3(1) or standards contained in a recognised airworthiness code referred to in regulation 21.02.3(3) relating to the design, materials, construction equipment, performance and maintenance of aircraft or aircraft components issued by the States of Design and which code complies with Annex 8 to the Chicago Convention.

(2) An applicant for the issuing of a type acceptance certificate for a Class I product must provide the Executive Director with proof that –

- (a) complies with the appropriate airworthiness design standards referred to in regulation 21.02.3, effective at the date assigned in the foreign type certificate or equivalent document, unless another date is specified by the Executive Director.
- (b) complies with any special conditions imposed by the Executive Director in terms of regulation 21.02.12 and, if applicable, meets any special conditions under the foreign type certificate;
- (c) any airworthiness design standards not complied with are compensated for by factors providing an equivalent level of safety;
- (d) no feature or characteristic of the product makes it unsafe for the intended use; and

- (e) the type certificate or equivalent document was issued based on an airworthiness code recognised by the Executive Director.

### Data requirements

**21.04.4 (1)** An applicant for the issuing of a type acceptance certificate for a Class I product must provide the Executive Director with –

- (a) proof that the type design has been approved by the appropriate authority of the exporting State by the issuing of a type certificate or an equivalent document and that type certificate or equivalent document is considered to be valid by the State of Design;
- (b) details of the airworthiness design standards complied with for the issuing of the type certificate referred to in paragraph (a), including -
  - (i) the statement of conformity compared to the airworthiness design standards;
  - (ii) the effective date of such standards;
  - (iii) any special conditions imposed under the foreign type certification;
  - (iv) any requirements not complied with and any compensating factors providing an equivalent level of safety; and
  - (v) any airworthiness limitations;
- (c) a list identifying the data submitted for the issuing of the type certificate referred to in paragraph (a), showing compliance with the appropriate airworthiness design standards;
- (d) a certified true copy of the flight manual approved under a foreign type certificate or, if the appropriate design standards do not require a flight manual to be provided, a flight manual which complies with the standards set out in Document NAM-CATS-AR;
- (e) the illustrated parts or products catalogue; and
- (f) if required by the Executive Director -
  - (i) the maintenance manual for the product;
  - (ii) current service information issued by the manufacturer of the product; and
  - (iii) proof that the manufacturer has agreed to provide the Executive Director with a certified true copy of all amendments and re-issues of the documents referred to in paragraphs (d), (e) and (f).

(2) The Executive Director may specify the range of serial numbers or models of products to which the application relate or redefine the applicability of the certificate if the provisions of this regulation and regulation 21.04.3 are complied with in respect of any additional product.

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(3) If the application relates to a variant of an aircraft type for which there is already a type acceptance certificate in force, then only data peculiar to the variant need be supplied and the type acceptance certificate will be amended to include the new variant.

(4) The applicant must provide general familiarisation training or full type training course to the Executive Director or to an authorised officer, inspector or authorised person for the purpose of enabling them to conduct an effective safety oversight on the accepted aircraft type.

**Issue of type acceptance certificate**

**21.04.5** (1) The Executive Director must grant an application in terms of regulation 21.04.2 and issue a type acceptance certificate for a Class I product if the applicant complies with the provisions of regulations 21.04.3 and 21.04.4.

(2) A type acceptance certificate may be issued in both the standard and restricted categories referred to in regulation 21.04.1, if the provisions of regulations 21.04.3 and 21.04.4 for each category are complied with.

(3) A restricted category type acceptance certificate must specify the operational purposes for which the product is certificated.

(4) A type acceptance certificate must be issued on the appropriate form set out in Document NAM-CATS-AR.

**Period of validity**

**21.04.6** (1) A type acceptance certificate is valid until it is surrendered by the holder thereof or is suspended by the Executive Director or by an authorised officer, inspector or authorised person or revoked by the Executive Director, pursuant to regulation 21.01.8.

(2) The holder of a type acceptance certificate which is suspended must forthwith produce the type acceptance certificate upon suspension thereof to the Executive Director or to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

(3) The holder of a type acceptance certificate which is revoked must forthwith surrender such type acceptance certificate to the Executive Director.

**Duty of holder of type acceptance certificate**

**21.04.7** The holder of a type acceptance certificate must keep the original type acceptance certificate in a safe place and produce such certificate upon request to an authorised officer, inspector or authorised person for inspection.

**SUBPART 5  
SUPPLEMENTAL TYPE CERTIFICATES**

**Requirements for supplemental type certificate**

**21.05.1** (1) Any person who is not the holder of a type certificate and who alters a product by introducing any change in the type design, but not great enough to require a new application for a type certificate, must apply to the Executive Director for the issuing of a supplemental type certificate.

(2) An applicant for the issue of a supplemental certificate must prove to the Executive Director that -

- (a) the altered product complies with the appropriate airworthiness design standards referred to in regulation 21.02.3;
- (b) in the case of an acoustical change, the altered product complies with the appropriate noise standards as prescribed in Part 36; and
- (c) in the case of an emission change, the altered product complies with the appropriate emission standards as prescribed in Part 34.

(3) An applicant for the issuing of a supplemental type certificate must comply with the provisions of regulations 21.02.5 and 21.02.6 in respect of each change in type design.

(4) For the purposes of this regulation the holder of a type certificate may apply for the amendment of the type certificate in terms of Subpart 2.

**Application for supplemental type certificate**

**21.05.2** An application for the issue of a supplemental type certificate must be -

- (a) made to the Executive Director in the appropriate form set out in Document NAM-CATS-AR; and
- (b) accompanied by -
  - (i) a copy of the approval held by the selected design organisation;
  - (ii) proof of compliance with the provisions of regulation 21.05.1; and
  - (iii) the appropriate fee as prescribed in Part 187.

**Issue of supplemental type certificate**

**21.05.3** (1) An application in terms of regulation 21.05.2 must be granted and a supplemental type certificate issued if the applicant complies with the requirements prescribed in regulation 21.05.1.

(2) A supplemental type certificate is issued on the appropriate form set out in Document NAM-CATS-AR.

**Privileges of holder of supplemental type certificate**

**21.05.4** The holder of a supplemental type certificate is entitled to -

- (a) in the case of an aircraft, upon compliance with the appropriate requirements prescribed in Subpart 8, obtain a certificate of airworthiness; and
- (b) in the case of any other product, obtain approval for the installation of such product on a certificated aircraft; and
- (c) upon compliance with the appropriate requirements prescribed in Subpart 7, obtain a production certificate for the change in the type design approved by the supplemental type certificate.

**Period of validity**

**21.05.5** (1) A supplemental type certificate is valid until it is surrendered by the holder thereof or is suspended by the Executive Director or by an authorised officer, inspector or authorised person or revoked by the Executive Director, pursuant to regulation 21.01.8.

(2) The holder of a supplemental type certificate which is suspended, must forthwith produce the supplemental type certificate upon suspension thereof, to the Executive Director or to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

(3) The holder of a supplemental type certificate which is revoked must forthwith surrender such supplemental type certificate to the Executive Director.

**Duty of holder of supplemental type certificate**

**21.05.6** The holder of a supplemental type certificate must keep the original supplemental type certificate in a safe place and produce such certificate to an authorised officer, inspector or authorised person for inspection if so requested by such officer, inspector or person.

**Requirements for supplementary type certificate issued by State of Design**

**21.05.7** (1) The Executive Director may accept a supplemental type certificate or equivalent document issued by a State of Design in respect of an aircraft or aircraft part or product if –

- (a) the supplemental type certificate or equivalent document was issued based on an airworthiness code recognised by the Executive Director; or
- (b) the design, materials, construction equipment, performance and maintenance of the aircraft or aircraft component technical evaluation against a recognised airworthiness code has been carried out by the Executive Director and has been found to -
  - (i) meet the required standards of the recognised airworthiness code; or
  - (ii) have complied with any recommendations made by the Executive Director.

**Issue of supplemental type certificate by another State**

**21.05.8** (1) Any person who proposes to alter a product by introducing a major change in type design not great enough to require a new application for a type certificate must apply for a supplemental type certificate to the appropriate authority of the State of Design that approved the type certificate for that product.

(2) An application under made under subregulation (1) must be made in accordance with the procedures prescribed by the relevant State of Design.

(3) The Executive Director upon receiving a request for a supplemental type certificate for an aircraft registered in Namibia must –

- (a) forward the request to the State of Design; and
- (b) if applicable, issue a supplementary type certificate using the same regulatory and other guidance of the State of Design and State of Manufacture.

**SUBPART 6**  
**PRODUCTION UNDER TYPE CERTIFICATE**

**Production under type certificate**

**21.06.1** The manufacturer of a product being manufactured under a type certificate only must -

- (a) make each product available for inspection by the Executive Director;
- (b) maintain, at the place of manufacture, the technical data and drawings necessary for the Executive Director to determine whether the product and its parts conform to the type design;
- (c) determine that each completed product conforms to the applicable type design and is in a condition for safe operation prior to submitting statements of conformity to the Executive Director;
- (d) unless otherwise authorised by the Executive Director not to do so, establish and maintain a production inspection system for products manufactured more than six months after the date on which the type certificate was issued, to ensure that such products conform to the type design and are in condition for safe operation; and
- (e) upon the establishment of the production inspection system referred to in paragraph (d), submit to the Executive Director a manual which describes such system as well as the procedures for making the determinations referred to in regulation 21.06.2(2).

**Production inspection system**

**21.06.2** (1) For the purposes of regulation 21.06.1(d), the manufacturer must establish a Materials Review Board and materials review procedures.

(2) The procedures for making determinations are as set out in Document NAM-CATS-AR.

(3) The composition of the Materials Review Board and its powers and duties, are as set out in Document NAM-CATS-AR.

**Tests for aircraft**

**21.06.3** The manufacturer of an aircraft being manufactured under a type certificate only must establish a production flight test procedure as set out in Document NAM-CATS-AR, according to which the aircraft so manufactured must be flight tested.

**Tests for aircraft engines**

**21.06.4** The manufacturer of an aircraft engine being manufactured under a type certificate only must subject each engine, other than a rocket engine for which such manufacturer must establish a sampling technique, to a test run as set out in Document NAM-CATS-AR.

**Tests for propellers**

**21.06.5** The **manufacturer** of propellers being manufactured under a type certificate only must give each variable pitch propeller a functional test to determine if the propeller operates properly throughout the normal range of operation.

**Statement of conformity**

**21.06.6** (1) The manufacturer of a product being manufactured under a type certificate only must

—

- (a) upon the initial transfer of the ownership of the product manufactured under the type certificate; or
- (b) upon application for the original issuing of -
  - (i) in the case of an aircraft, a certificate of airworthiness; or
  - (ii) in the case of an aircraft engine or propeller, an airworthiness approval tag,

submit to the Executive Director a statement of conformity.

- (2) The statement of conformity must -
  - (a) include -
    - (i) for each product, a statement that the product conforms to its type certificate and is in a condition for safe operation;
    - (ii) for each aircraft, a statement that the aircraft has been tested in accordance with the provisions of regulation 21.06.3;
    - (iii) for each aircraft engine, a statement that the engine has been tested in accordance with the provisions of regulation 21.06.4; and
    - (iv) for each variable pitch propeller, a statement that the propeller has been tested in accordance with the provisions of regulation 21.06.5; and
  - (b) be signed by the person authorised by the manufacturer to issue statements of conformity.

**SUBPART 7  
PRODUCTION CERTIFICATE**

**Requirements for production certificate**

**21.07.1** Any manufacturer who has been approved by the Executive Director in terms of Part 148 may apply for the issuing of a production certificate if the manufacturer holds –

- (a) a valid type certificate; or
- (b) a valid supplemental type certificate,

for the product concerned.

**Application for production certificate**

**21.07.2** An application for the issue or amendment of a production certificate must be -

- (a) made in the appropriate form set out in Document NAM-CATS-AR ; and
- (b) accompanied by -
  - (i) data describing the inspection and test procedures necessary to ensure that each article produced conforms to the type design and is in a condition for safe operation;
  - (ii) a description of inspection procedures for raw materials, purchased items and parts and assemblies produced by any partner or subcontractor, including methods used to ensure acceptable quality of parts and assemblies which cannot be completely inspected for conformity when delivered by the partner or subcontractor to the applicant;
  - (iii) a description of the methods used for production inspection of individual parts and complete assemblies, including -
    - (aa) the identification of any special manufacturing processes involved;
    - (bb) the means used to control the processes;
    - (cc) the final test procedure for the complete product; and
    - (dd) in the case of an aircraft, a copy of the applicant's production flight test procedures and check list;
  - (iv) an outline of the materials review system, including the procedure for recording Materials Review Board decisions and disposing of rejected products or parts;
  - (v) an outline of a system for informing the personnel responsible for inspections of current changes in the engineering drawings, specifications and quality control procedures;

- (vi) a list or chart showing the location of all inspection stations;
- (vii) the terms of approval referred to in regulation 21.07.4, for which application is being made; and
- (viii) the appropriate fee as prescribed in Part 187.

**Issue of production certificate**

**21.07.3** (1) The Executive Director must grant an application made under regulation 21.07.2 and issue a production certificate if the applicant complies with the requirements prescribed in that regulation.

(2) The Executive Director may authorise more than one type certificated product to be manufactured under the terms of approval referred to in regulation 21.07.4, if the products have similar production characteristics.

(3) A production certificate is issued on the appropriate form set out in Document NAM-CATS-AR.

**Terms of approval**

**21.07.4** The terms of approval must -

- (a) be issued as part of the production certificate;
- (b) specify the type certificated product to be manufactured; and
- (c) contain a production limitation record, listing the type certificate of each product which the holder of the production certificate is authorised to manufacture.

**Duties of holder of production certificate**

**21.07.5** The holder of a production certificate -

- (a) must -
  - (i) display the certificate in a prominent and conspicuous place at such holder's manufacturing facility for the product concerned; and
  - (ii) if a copy of the certificate is displayed, produce the original certificate to an authorised officer, inspector or authorised person if so requested by such authorised officer, inspector or authorised person; and
- (b) must maintain the quality control of each product which such holder is authorised to manufacture, in conformity with the data and procedures approved by the Executive Director for such certificate.

**Privileges of holder of production certificate**

**21.07.6** The holder of a production certificate is entitled to -

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- (a) in the case of an aircraft, obtain a certificate of airworthiness; or
- (b) in the case of any other product, obtain approval for installation on certificated aircraft.

**Transferability and period of validity**

**21.07.7** (1) A production certificate issued in terms of regulation 21.07.3 is

- (a) not transferable; and
- (b) valid until it is surrendered by the holder of the certificate or is suspended by the Executive Director or by an authorised officer, inspector or authorised person or revoked by the Executive Director, pursuant to regulation 21.01.8.

(2) The holder of a production certificate which is suspended must forthwith upon suspension thereof produce the certificate to the Executive Director or to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

(3) The holder of a production certificate which is revoked, must forthwith surrender such certificate to the Executive Director.

**SUBPART 8  
CERTIFICATES OF AIRWORTHINESS**

**Categories of certificates of airworthiness**

**21.08.1** (1) The categories of certificates of airworthiness are -

- (a) standard category certificates of airworthiness;
- (b) restricted category certificates of airworthiness; and
- (c) special category certificates of airworthiness.

(2) A standard certificate of airworthiness may be issued to aircraft in the specific operational category provided the aircraft meets the requirements of the specific regulatory provisions.

(3) The standard certificate of airworthiness may consist of the following operation categories:

- (a) Part 91: Non-commercial operations;
- (b) Part 141: Aviation training; and
- (c) Parts 121, 127, 133, 135, 136, 137 and 138: Commercial operations.

(4) A restricted certificate of airworthiness issued in accordance with the operational limitations defined in the type certificate accepted in accordance with the provisions of Subpart 4 may be issued for the following aircraft special operations:

- (a) aerial advertising operations;
- (b) aerial patrol, observation and survey operations;
- (c) aerial recording operations by photographic or electronic means;
- (d) agricultural operations;
- (e) cloud spraying, seeding or dusting operations;
- (f) fire spotting, control and fighting operations;
- (g) game and livestock selection, culling, counting or herding operations;
- (h) spraying, seeding or dusting operations other than for agricultural purposes and clouds; and
- (i) any other operations designated by the Executive Director as special purposes operations.

(5) A special airworthiness certificate may be issued to aircraft that do not fully meet the requirements of the State of Design for a standard airworthiness certificate.

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(6) The types of special category certificate of airworthiness consist of -

- (a) an experimental certificate; or
- (b) a special flight permit.

(7) A standard or restricted category certificate of airworthiness issued in respect of an aircraft may be amended in accordance with the provisions of regulation 21.08.3 to include other aircraft operation classification provided that –

- (a) in respect of that aircraft, a major modification supported by a supplementary type certificate issued by the State of Design and approved by the Executive Director under the provisions of Subpart 2 of Part 43 has been embodied to allow for operation; and
- (b) the aircraft complies with the requirements prescribed for flight operations in that configuration and the particular operation as defined in the aircraft flight manual supplement contained in the supplementary type certificate.

(8) The holder of a standard, restricted or special category of airworthiness certificate must pay the annual current fee as prescribed in Part 187, applicable to the type of certificate of airworthiness, on the anniversary date of such certificate.

**Requirement for certificate of airworthiness**

**21.08.2** (1) A person may not operate an aircraft in Namibia unless -

- (a) such aircraft has been issued with a certificate of airworthiness; and
- (b) the conditions on which such certificate was issued or rendered effective are complied with.

(2) The Executive Director must issue a certificate of airworthiness for an aircraft registered in Namibia if, based on satisfactory evidence provided to him or her, the Executive Director is satisfied that –

- (a) the aircraft complies with the design aspects of the appropriate airworthiness requirements (type certificate) and that the issue is not contrary to aviation safety;
- (b) the aircraft has been inspected in terms of regulation 21.01.5 and found airworthy by an authorised officer, inspector or authorised person specifically authorised by the Executive Director to make such determinations; and
- (c) the Executive Director has determined on inspection that the aircraft conforms to its type design and is in a condition for safe operation.

**Application for issue, renewal or amendment of certificate of airworthiness**

**21.08.3** (1) Any owner of an aircraft or his, her or its authorised representative, may apply for the issue, renewal or amendment of a certificate of airworthiness for the aircraft.

(2) An application for the issue, renewal or amendment of a standard or restricted certificate of airworthiness must be –

- (a) made in the appropriate form set out in Document NAM-CATS-AR ; and
- (b) accompanied by -
  - (i) the appropriate fee as prescribed in Part 187;
  - (ii) proof of compliance with the provisions of regulation 21.08.4; and
  - (iii) in the case of an application for the issue, renewal or amendment of a standard certificate of airworthiness in respect of an aircraft type certificated in -
    - (aa) the commercial air transport passengers category;
    - (bb) the commercial air transport cargo category;
    - (cc) the aerial work category; or
    - (dd) the flying training category,

a copy of the air operator certificate held by the applicant or, if the aircraft will be used by a lessee, a copy of the lease agreement between the applicant and the lessee and a copy of the air operator certificate held by such lessee.

(3) An application for the issue, renewal or amendment of an experimental certificate must be -

- (a) made in the appropriate form set out in Document NAM-CATS-AR ; and
- (b) accompanied by -
  - (i) the appropriate fee as prescribed in Part 187; and
  - (ii) proof of compliance with the provisions of regulation 21.08.6.

(4) An application for the issue, renewal or amendment of a special flight permit must be -

- (a) made to the Executive Director in the appropriate form set out in Document NAM-CATS-AR; and
- (b) accompanied by -
  - (i) the appropriate fee as prescribed in Part 187; and
  - (ii) proof of compliance with the provisions of regulation 21.08.7.

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(5) An application for the renewal of a certificate of airworthiness, an experimental certificate or a special flight permit must be made at least 60 days immediately preceding the date on which such certificate or permit expires.

**Requirements for standard or restricted category certificate of airworthiness**

**21.08.4** (1) An applicant for the issue, renewal or amendment of a standard or restricted category certificate of airworthiness for an aircraft must provide the Executive Director with proof that -

- (a) in the case of a new aircraft type manufactured by the holder of a manufacturing organisation approval issued under Part 148 -
  - (i) the applicant is the manufacturer; and
  - (ii) the applicant has issued a statement of conformity in terms of regulation 21.02.6; or
- (b) in the case of an imported aircraft -
  - (i) a standard category type acceptance certificate has been issued for the aircraft type in terms of regulation 21.04.5; and
  - (ii) a statement of conformity has been issued -
    - (aa) by the appropriate authority of the exporting State; or
    - (bb) in accordance with the laws of the exporting State.

(2) The applicant must, in addition to the provisions of subregulation (1), provide the Executive Director with proof that -

- (a) the aircraft conforms to an appropriate type certificate or type acceptance certificate;
- (b) any modification to the aircraft conforms to the design changes approved for the type;
- (c) the aircraft complies with the appropriate airworthiness directives issued in terms of regulation 21.01.4;
- (d) the aircraft is issued with the appropriate flight manual and any logbooks, repair and alteration forms and documents which the Executive Director may require;
- (e) the aircraft is in a condition for safe operation; and
- (f) the aircraft has been maintained in accordance with an approved maintenance programme.

**Carrying out test flights in certain circumstances**

**21.08.5** An aircraft required to be issued or re-issued with a certificate of airworthiness or if such certificate of airworthiness is required to be rendered effective may be test flown with the written permission of the owner or operator provided that -

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- (a) the aircraft has been issued with or possesses a valid Namibian certificate of registration;
- (b) an application, in the form and manner set out in Document NAM-CATSAR, requesting the issue of a certificate of airworthiness has been lodged with the Executive Director;
- (c) the application is accompanied by the fee prescribed in Part 187 for the issue of the certificate;
- (d) where the certificate of airworthiness has expired due to the expiry of the certificate of release to service issued under Part 43, and the certificate of airworthiness needs to be re-issued, the requirements pertaining to the current fee prescribed in Part 187 for the certificate are to be met;
- (e) prior to the flight, the aircraft is to be certified safe for the intended flight in the airframe logbook by the holder of a valid, appropriately rated aircraft maintenance engineer's licence or by such person who is a holder of valid approval rating, on type, issued in terms of Part 145; and
- (f) the aircraft has to make its first landing at the point of departure.

**Requirements and application for experimental certificate**

**21.08.6** (1) An experimental certificate for an aircraft may be issued for the purposes of -

- (a) showing compliance with these regulations with specific reference to the conducting of flight tests and other operations to show compliance with the airworthiness requirements of these regulations including -
  - (i) flights to show compliance for issuance of a type certificate or supplemental type certificate;
  - (ii) flights to substantiate major design changes; and
  - (iii) flights to show compliance with the function and reliability requirements of these regulations; or
- (b) research and development relating to the testing of new aircraft design concepts, new aircraft equipment, new aircraft installations, new aircraft operating techniques or new uses for aircraft.

(3) An application for the issue, renewal or amendment of an experimental certificate, other than for a non-type certificated aircraft, must include -

- (a) a statement specifying the purposes for which the aircraft is to be used;
- (b) sufficient data to identify the aircraft;
- (c) proof that the aircraft complies with any design criteria or design changes necessary for the safe operation of the aircraft that the Executive Director may require;

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- (d) flight manuals, maintenance manual or such documents relating to the operation of the aircraft that the Executive Director may require, if such manuals or documents have already been developed; and
- (h) any other information that the Executive Director may require to safeguard aviation safety.

(4) An applicant for the issue, renewal or amendment of an experimental certificate for an aircraft to be used for the purpose of research and development or showing compliance with the regulations in this Part must, in addition to the provisions of subregulation (3), provide the Executive Director with -

- (a) the purpose of the test;
- (b) the estimated time or number of flights required for the test;
- (c) details of the areas over which the test will be conducted; and
- (d) except for aircraft converted from a previously certificated type without appreciable change in the external configuration or silhouette, three-view drawings or three-dimensional photographs of the aircraft.

(5) An applicant for the issue, renewal or amendment of an experimental certificate for an aircraft to be used for a purpose other than those referred to in subregulation (4), must, in addition to the provisions of subregulation (3), provide the Executive Director with proof that -

- (a) a period of flight evaluation has been completed showing -
  - (i) the aircraft is controllable throughout its normal range of speed and throughout all the manoeuvres to be executed; and
  - (ii) the aircraft has no hazardous operating characteristics or design features; or
- (b) the aircraft conforms to a type design which has been shown to provide an acceptable level of safety for the purpose by -
  - (i) showing compliance with the appropriate airworthiness design
  - (ii) standards referred to in regulation 21.02.3; or
  - (iii) providing information concerning the airworthiness history of aircraft which conform to the type design.

(6) An experimental certificate issued in terms of this Part is valid only for flights within the borders of Namibia and over international waters, and for flights over or within the territory of another State, permission of the responsible appropriate authority is required.

**Requirements and application for special flight permit**

**21.08.7** (1) A special flight permit for an aircraft may be issued for the purposes of -

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- (a) ferrying an aircraft where the certificate of airworthiness has become invalid due to the aircraft no longer meeting its airworthiness standards to a place where maintenance can be carried out;
  - (b) delivering or exporting an aircraft;
  - (c) evacuating an aircraft from an area of impending danger;
  - (d) carrying out a flight or a series of flights while the aircraft does not conform to the appropriate airworthiness design standards referred to in regulation 21.02.3; or
  - (e) operation of an aircraft at a mass in excess of its maximum certificated takeoff mass for flights beyond the normal range over water or over land areas where adequate landing facilities or appropriate fuel is not available, except that the excess mass that may be authorised under this paragraph is limited to the additional fuel, fuel-carrying facilities and navigation and emergency equipment necessary for the flight.
- (2) An applicant for the issue, renewal or amendment of a special flight permit for an aircraft, other than for a non-type certificated aircraft, must be accompanied by a statement containing –
- (a) the purpose of the flight;
  - (b) the proposed itinerary;
  - (c) details of any non-compliance with the appropriate airworthiness design standards referred to in regulation 21.02.3;
  - (d) any restriction that the applicant considers necessary for the safe operation of the aircraft; and
  - (e) any other information that the Executive Director may require for the purpose of determining operating limitations.
- (3) An applicant for the issue or amendment of a special flight permit for any amateur-built aircraft or production-built aircraft must provide the Executive Director with –
- (a) a statement specifying the purpose for which the aircraft is to be used;
  - (b) proof of compliance with the appropriate airworthiness design standards referred to in regulation 21.02.3;
  - (c) any information which the Executive Director may require to safeguard aviation safety;
  - (d) any document relating to the operation of the aircraft which the Executive Director may require; and
  - (e) proof that the aircraft complies with any design changes necessary for the safe operation of the aircraft which the Executive Director may require.

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(4) The Executive Director may make, or require the applicant to make, appropriate inspections or flight tests to establish safety aspects.

(5) The application referred to in subregulation (2) must be accompanied by the appropriate fee as prescribed in Part 187.

(6) A special flight permit issued in terms of this Part is valid only for flights within the borders of Namibia and over international waters, and for flights over or within the territory of another State, permission of the responsible appropriate authority is required.

**Special flight permits with continued authorisation**

**21.08.8** (1) On application, the Executive Director may issue a special flight permit with a continued authorisation to -

- (a) the holder of an operating certificate for the purpose of ferrying an aircraft that may not meet applicable airworthiness requirements, but is capable of safe flight to a place where maintenance or alterations are performed; or
- (b) the holder of a manufacturing authorisation approval issued in terms of Part 148 for the purpose of -
  - (i) flight testing new production aircraft manufactured by such holder; and
  - (ii) conducting customer demonstration flights in new production aircraft that have satisfactorily completed production flight tests.

(2) The permit issued under this regulation is an authorisation, including conditions and limitations for flight, which is set forth in the operations manual or manual of procedure of the holder of the operating certificate or authorisation approval, as the case may be.

(3) The permit issued under this regulation is valid only for flights within the borders of Namibia and over international waters, and for flights over or within the territory of another State, permission of the responsible appropriate authority is required.

(4) The application referred to in subregulation (1) must be accompanied by the appropriate fee as prescribed in Part 187.

**Issue, renewal or amendment of certificate of airworthiness**

**21.08.9** (1) An application in terms of regulation 21.08. 3 must be granted and a certificate of airworthiness issued, renewed or amended, as the case may be, if -

- (a) the applicant complies with the provisions of regulation 21.08.4, 21.08.5, 21.08.6 or 21.08.7, as the case may be; and
- (b) in respect of a special category certificate of airworthiness, the level of safety is adequate for the purpose for which the aircraft is to be used.

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(2) A certificate of airworthiness is issued, renewed or amended subject to such conditions and limitations which may be determined by the Executive Director.

(3) A certificate of airworthiness may be issued, renewed or amended in both the standard and restricted categories if -

- (a) the aircraft complies with the certification requirements for each category when in configuration for such category; and
- (b) the aircraft can be converted from one configuration to the other by removing or adding equipment by simple mechanical means.

(4) A certificate of airworthiness is issued in the appropriate form as set out in Document NAM-CATS-AR.

**Period of validity**

**21.08.10** (1) A certificate of airworthiness is valid for a period of 12 months calculated from the date of issue or renewal of the certificate.

- (2) The certificate remains in force until -
  - (a) it expires or is revoked or suspended by the Executive Director; or
  - (b) it is surrendered by the holder thereof or is suspended by an authorised officer, inspector or authorised person,

pursuant to regulation 21.01.8.

(3) Subject to the provisions of subregulation (1), a certificate of airworthiness remains valid for as long as -

- (a) the aircraft remains a Namibian registered aircraft; and
- (b) in respect of an aircraft with a standard or restricted category certificate of airworthiness, the aircraft is maintained in accordance with these regulations.

(4) The holder of a certificate of airworthiness which has expired must forthwith surrender the certificate to the Executive Director.

(5) The holder of a certificate of airworthiness which is suspended must forthwith upon the suspension, produce the certificate to the Executive Director or to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

(6) The holder of a certificate of airworthiness which is revoked must forthwith surrender such certificate to the Executive Director.

**Transferability**

**21.08.11** A standard or restricted certificate of airworthiness and an experimental certificate may only be transferred with the aircraft.

**Application for duplicate certificate**

**21.08.12** (1) If a certificate issued under this Part is lost, stolen, damaged or destroyed, the holder thereof or an aircraft maintenance organisation approved under Part 145 which is responsible for the servicing and maintenance of the aircraft, may apply to the Executive Director for the issue of a duplicate certificate.

(2) An application referred to in subregulation (1) must be -

- (a) made in the appropriate form set out in Document NAM-CATS-AR; and
- (b) accompanied by the appropriate fee as prescribed in Part 187.

(3) A duplicate of the certificate is issued on the appropriate form set out in Document NAM-CATS-AR.

**Validation of certificate of airworthiness issued by appropriate authority**

**21.08.13** (1) The holder of a certificate of airworthiness issued by an appropriate authority of another State may apply to the Executive Director in the appropriate form set out in Document NAM-CATS-AR for a validation of such certificate.

(2) The application for a validation referred to in subregulation (1) must be accompanied by -

- (a) a copy of the certificate to which the validation relates; and
- (b) the appropriate fee as prescribed in Part 187.

(3) The Executive Director may validate a certificate of airworthiness issued by an appropriate authority -

- (a) subject to the same restrictions which apply to such certificate; and
- (b) on the appropriate form set out in Document NAM-CATS-AR.

(4) A validation issued by the Executive Director is valid for -

- (a) a period of 12 months calculated from the date of issue of the validation; or
- (b) the period of validity of the certificate issued by the appropriate authority concerned, whichever is the lesser period.

(5) The holder of a validation issued by the Executive Director may, subject to the provisions of subregulation (6), apply to the Executive Director for the renewal of the validation at least 21 days before the date of expiry of such validation.

(6) The Executive Director may renew the validation for the same appropriate period referred to in subregulation (4).

**RVSM approval**

**21.08.14** (1) An airworthiness approval certificate is required for an aircraft that is to be operated within airspace where RVSM applies.

(2) The requirements for an RVSM airworthiness approval certificate are as set out in Document NAM-CATS-AR.

(3) An application for the issuing of an RVSM approval certificate must be made to the Executive Director in the appropriate form set out in Document NAM-CATS-AR.

(4) The application referred to in subregulation (3) must be accompanied by the appropriate fee as prescribed in Part 187.

**Temporary loss of airworthiness**

**21.08.15** Any failure to maintain an aircraft in an airworthy condition as defined by the appropriate airworthiness requirements renders the aircraft ineligible for operation until the aircraft is restored to an airworthy condition.

**Damage to aircraft**

**21.08.16** (1) When an aircraft has sustained damage, the Executive Director must assess whether the damage is of a nature such that the aircraft is no longer airworthy as specified by the appropriate airworthiness requirements.

- (2) If the damage is sustained or ascertained when the aircraft is on the territory of another State, the Executive Director may request the authorities of that State to advise the Executive Director immediately, communicating to him or her all details necessary to formulate the assessment referred to in subregulation (1).
- (3) When the Executive Director considers that the damage sustained is of a nature such that the aircraft is no longer airworthy, he or she must prohibit the aircraft from resuming flight until it is restored to an airworthy condition.
- (4) The Executive Director may, in exceptional circumstances, determine particular limiting conditions to permit an aircraft to undertake a non-commercial flight to an aerodrome at which it can be restored to an airworthy condition.
- (5) In determining particular limiting conditions the Executive Director must consider all limitations proposed by the State where that State has prevented the aircraft from resuming its flight.
- (6) If the Executive Director considers that the damage sustained is of a nature such that the aircraft is still airworthy, the Executive Director may allow the aircraft to resume its flight.

**Aircraft limitations and information**

**21.08.17** The owner or operator of a Namibian registered aircraft must hold and be able to produce for inspection upon request by the Executive Director or an authorised officer, inspector or authorised person -

- (a) a flight manual, placards or other documents stating the approved limitations within which the aircraft is considered airworthy as specified in the appropriate airworthiness requirements; and
- (b) additional instructions and information necessary for the safe operation of the aircraft.

**SUBPART 9  
APPROVAL OF PARTS AND APPLIANCES**

**Replacement and modification parts**

**21.09.1** (1) Subject to the provisions of subregulation (2), a person may not produce a modification or replacement part for sale for installation on a type certificate product unless such modification or replacement part or appliance is produced pursuant to a NAM-PMA issued under this Subpart.

- (2) The provisions of subregulation (1) do not apply in respect of -
- (a) parts or appliances produced under a type certificate;
  - (b) parts or appliances produced by an owner or operator for maintaining his or her or its own product;
  - (c) parts or appliances produced under the NAM-TSO authorisation; or
  - (d) standard parts or appliances conforming to established civil aviation industry or Namibian civil aviation specifications.

**Inspections and tests**

**21.09.2** (1) An applicant for the issuing of a NAM-PMA must carry out all inspections and tests which may be necessary to determine –

- (a) compliance with the appropriate airworthiness design standards referred to in regulation 21.02.3;
- (b) that the materials conform to the specifications in the design;
- (c) that the part or appliance conforms to the drawings in the design; and
- (d) that the manufacturing processes, construction and assembly conform to those processes specified in the design.

(2) Unless authorised by the Executive Director a person may not -

- (a) present a part or an appliance to the Executive Director for an inspection or a test unless compliance with the provisions of subregulation (1)(b) and (d) has been proven for such part; or
- (b) make a change to a part or an appliance between the time that compliance with the provisions of subregulation (1)(b) and (d) is proven for the part or appliance, and the time that such part or appliance is presented to the Executive Director for the inspection or test.

(3) The applicant must establish a manufacturing inspection system as set out in Document NAM-CATS-AR to ensure that each completed part or appliance conforms to its design data and is safe for installation on appropriate type certified products.

**Application for NAM-PMA**

**21.09.3** (1) Any manufacturer who has been approved by the Executive Director in terms of Part 148 may apply for a NAM-PMA.

- (2) An application for the issuing of a NAM-PMA must be –
  - (a) made in the appropriate form set out in Document NAM-CATS-AR; and
  - (b) accompanied by –
    - (i) drawings and specifications necessary to show the configuration of the part or appliance;
    - (ii) information on dimensions, materials and processes necessary to define the structural strength of the part or appliance
    - (iii) test reports and computations necessary to show that the design of the part or appliance complies with the airworthiness design standards referred to in regulation 21.02.3 applicable to the product on which the part or appliance is to be installed, unless the applicant shows that the design of the part is identical to a part or an appliance which is covered under a type certificate
    - (iv) if the design of the part or appliance was obtained by a licensing agreement, a copy of such agreement; and
    - (v) the appropriate fee as prescribed in Part 187.

**Issue of NAM-PMA**

**21.09.4** (1) The Executive Director must, subject to the provisions of subregulation (2), grant an application in terms of regulation 21.09.3 and issue a NAM-PMA if -

- (a) the Executive Director is satisfied, upon examination of the design and the results of all inspections and tests, that the design complies with the airworthiness design standards referred to in regulation 21.02.3, applicable to the product on which the part or appliance is to be installed; and
- (b) the applicant submits a statement certifying that the manufacturing inspection system referred to in regulation 21.09.2(3) has been established.

(2) The Executive Director may not issue a NAM-PMA if the manufacturing facility for the part or appliance is located outside Namibia, unless the Executive Director is satisfied that the location of such a facility will not impede the administration of the appropriate airworthiness requirements prescribed in this Part.

**Duties of holder of NAM-PMA**

**21.09.5** The holder of a NAM-PMA must -

- (a) maintain the manufacturing inspection system referred to in regulation 21.09.2(3);

- (b) in writing notify the Executive Director within 14 days from the date on which the manufacturing facility for the part or appliance concerned was relocated or expanded to include additional facilities at other locations, of such relocation or expansion; and
- (c) determine that each completed part or appliance conforms to the approved design data and is safe for installation on type certificated products.

**Transferability and period of validity**

**21.09.6** (1) A NAM-PMA issued in terms of regulation 21.09.4 is -

- (a) not transferable; and
- (b) valid until it is -
  - (i) surrendered by the holder thereof; or
  - (ii) suspended by the Executive Director or by an authorised officer, inspector or authorised person or is revoked by the Executive Director, pursuant to regulation 21.01.8.

(2) The holder of a NAM-PMA which is suspended must forthwith upon suspension produce it to the Executive Director or to an authorised officer, inspector or authorised person for the appropriate endorsement.

(3) The holder of a NAM-PMA which is revoked must forthwith surrender such approval to the Executive Director.

**SUBPART 10**  
**APPROVAL OF PARTS AND APPLIANCES: IMPORT**

**Approval**

**21.10.1 (1) If -**

- (a) a part or an appliance manufactured in a foreign State with which the Namibian government has entered into an agreement for the acceptance of the part or appliance for export and import; and
- (b) the appropriate authority of the State in which the part or appliance was manufactured issues an export certificate of airworthiness certifying that such part or appliance complies with such requirements,

the part or appliance is deemed to comply with the requirements for approval prescribed in this Part.

(2) Subregulation (1) does not apply if the Executive Director determines, based on requested technical data submitted or not submitted in terms of subregulation (3), that the part or appliance is not considered to be compliant with the airworthiness requirements for approval prescribed in this Part.

(3) An applicant for the approval of a part or appliance must, on request by the Executive Director, submit to the Executive Director any technical data concerning the part or appliance.

**SUBPART 11**  
**EXPORT AIRWORTHINESS APPROVALS**

**Export airworthiness approvals**

**21.11.1** (1) An export airworthiness approval for -

- (a) a Class I product is issued in the form of an export certificate of airworthiness; and
- (b) a Class II or a Class III product is issued in the form of an export airworthiness approval tag.

(2) An export airworthiness approval may be issued for -

- (a) any aircraft, other than an aircraft referred to in paragraph (b), which has been assembled and flight tested, and any other Class I product located in Namibia;
- (b) any small aeroplane, glider or normal category rotorcraft which has been type certificated and manufactured under a production certificate;
- (c) any used aircraft with a valid certificate of airworthiness or other Class I product which has been maintained in accordance with the provisions of Part 43, and is located in a foreign State, if the Executive Director is satisfied that the location does not impede the administration of the provisions of this Part; or
- (d) any Class II or Class III product manufactured and located in Namibia.

**Application for export airworthiness approval**

**21.11.2** (1) Any exporter or his, her or its authorised representative may apply to the Executive Director for an export airworthiness approval for a Class I or Class II product.

(2) Any manufacturer who has been approved by the Executive Director in terms of Part 148, may apply for an export airworthiness approval for a Class III product if the manufacturer holds for such product -

- (a) a NAM-PMA; or
  - (b) a NAM-TSO authorisation.
- (4) An application for the issuing of an export airworthiness approval for a Class I, Class II or Class III product must be -
- (a) made in the appropriate form set out in Document NAM-CATS-AR; and
  - (b) accompanied by -
    - (i) a written statement from the appropriate authority of the importing State that such authority will validate the export airworthiness approval if the product being exported is -

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- (aa) an aircraft manufactured outside Namibia and being exported to a foreign State with which the Namibian government has entered into a reciprocal agreement concerning the recognition of export airworthiness approvals;
  - (bb) an unassembled aircraft which has not been flight-tested;
  - (cc) a product which does not comply with the requirements referred to in regulation 21.11.3(1), (2) or (3), as the case may be, for the issuing of an export airworthiness approval, in which case the written statement must contain a list of those requirements not complied with;
- (ii) in the case of an application for the issuing of an export airworthiness approval for a Class I product -
- (aa) a statement of conformity for each product;
  - (bb) the mass and balance report as set out in Document NAMCATS-AR;
  - (cc) a maintenance manual for each product, if the manual is required by the appropriate airworthiness design standards referred to in regulation 21.02.3;
  - (dd) proof of compliance with the appropriate airworthiness directives issued in terms of regulation 21.01.4, including suitable notation of those directives which are not complied with;
  - (ee) the aircraft flight manual, if such manual is required by the appropriate airworthiness design standards referred to in regulation 21.02.3 for the particular aircraft;
  - (ff) a statement on the date on which ownership passed or is expected to pass to a foreign purchaser;
  - (gg) the date required by the appropriate authority of the importing State;
  - (hh) any special certification that a condition of the State of the importer has been met;
  - (ii) the State of the importer accepts any exception to be listed in the certificate;
  - (jj) any log book, modification and repair form and historical record that the Executive Director may request for, unless the product in question is a new product;
  - (kk) a description of any method used, including the duration of the effectiveness of the method, for the preservation and packaging of the product to protect it against corrosion and damage while in transit or storage;
- (ll) the date on which any document that is not available at the date of application is expected to become available;
- (mm) supporting documentation for any variance to this Subpart;

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(nn) further particulars relating to the product and the applicant, if required by the Executive Director as indicated in the form; and

(iii) the appropriate fee as prescribed in Part 187.

(5) An applicant for the issue of an export airworthiness certificate for an aircraft must, in addition to the requirements set out in subregulation 3(b)(ii), provide the Executive Director with evidence that –

- (a) in case of a new aircraft, it has been manufactured under the authority of a manufacturing organisation certificate issued in accordance with Part 148;
- (b) in case of an aircraft other than a new aircraft, it possesses or qualifies for an airworthiness certificate issued under Subpart 8;
- (c) the aircraft is issued with the appropriate flight manual and, for a new aircraft, maintenance manual;
- (d) a weight and balance report has been completed, with a loading schedule, if applicable;
- (e) the aircraft has, within 60 days before the application for the export airworthiness certificate, undergone a 100 hour or equivalent, inspection in accordance with a manufacturer's maintenance schedule or an equivalent inspection acceptable to the Executive Director;
- (f) any installations incorporated for the purpose of export delivery comply with the applicable airworthiness requirements or have been approved by the issue of a special certificate of airworthiness or a special flight permit airworthiness certificate issued under Subpart 8; and
- (g) confirms that any installation described in paragraph (f) is to be removed and the aircraft restored to the approved type configuration upon completion of the delivery flight.

**Issue of export airworthiness approval**

**21.11.3** (1) The Executive Director must grant an application made under regulation 21.11.2 and issue an export certificate of airworthiness for a Class I product on the appropriate form set out in Document NAM-CATS-AR if -

- (a) the applicant meets the applicable requirements of this Subpart;
- (b) the issue of the certificate is not contrary to the interests of aviation safety;
- (c) any airworthiness requirement that is not complied with is compensated for by a factor that provides an acceptable level of safety;
- (d) in the case of a product manufactured in Namibia, the product complies with the requirements prescribed in Subpart 8;

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- (e) in the case of a product manufactured outside Namibia, a valid Namibian certificate of airworthiness has been issued for the product;
- (f) the product has undergone a mandatory periodic inspection and be approved for release to service; and
- (g) the requirements prescribed by the appropriate authority of the importing State are complied with.

(2) Despite subregulation (1)(a), the Executive Director may issue an export airworthiness certificate for a product that does not meet every airworthiness requirement of regulation 21.11.2, if the applicant provides written evidence to the Executive Director that the non-compliance with any particular requirement is acceptable to the State of the importer.

- (3) An export airworthiness certificate issued by the Executive Director under this Subpart -

- (a) may be subject to conditions as the Executive Director considers appropriate in each particular case; and
- (b) does not authorise the installation or use of a product.

(4) The Executive Director must grant an application made under regulation 21.11.2 and issue an export airworthiness approval tag for a Class II product on the appropriate form set out in Document NAM-CATS-AR if the product -

- (a) is new or has been newly overhauled and conforms to the approved design data;
- (b) is in a condition for safe operation;
- (c) is identified with at least -
  - (i) the name;
  - (ii) the part number;
  - (iii) the model and designation; and
  - (iv) the serial number or equivalent, of the manufacturer; and
- (d) complies with the requirements prescribed by the appropriate authority of the importing State.

(5) The Executive Director must grant an application made under regulation 21.11.2 and issue an export airworthiness approval tag for a Class III product on the appropriate form set out in Document NAM-CATS-AR if the product -

- (a) conforms to the approved design data applicable to the Class I or Class II product of which it is part;
- (b) is in a condition for safe operation; and

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- (c) complies with the requirements prescribed by the appropriate authority of the importing State.

**Duties of holder of export airworthiness approval**

**21.11.4** The holder of an export airworthiness approval must -

- (a) forward to the appropriate authority of the importing State, all documents and information which may be necessary for the safe and proper operation of the product being exported and any other material as is stipulated in the special requirements of the State of the importer;
- (b) forward the applicable manufacturer's assembly instructions and a flight test checklist form approved by the Executive Director to the appropriate authority of the importing State, if an unassembled aircraft is being exported;
- (c) upon completion of an export delivery, remove or cause to be removed any temporary installation incorporated on an aircraft for the purpose of export delivery and restore the aircraft to the approved configuration upon completion of the delivery flight;
- (d) secure all proper foreign entry clearances from all the States involved when conducting sales demonstrations or delivery flights;
- (e) when ownership of an aircraft passes or has passed to a foreign purchaser -
  - (i) request for revocation of the Namibian registration and certificate of airworthiness;
  - (ii) submit a statement certifying that the Namibian nationality and registration marks have been removed from the aircraft; and
  - (iii) return the registration and airworthiness certificates to the Executive Director; and
- (f) preserve and package the product to protect it against corrosion and damage while in transit or storage.

**Inspections and overhauls**

**21.11.5** Each inspection and overhaul required for export airworthiness approval of a Class I and a Class II product must be carried out and approved by -

- (a) the manufacturer of the product;
- (b) an aircraft maintenance organisation approved by the Executive Director under Part 145; or
- (c) an operator, if the product is maintained under the operator's continued airworthiness maintenance programme and maintenance manual.

**Validity of certificate**

**21.11.6** (1) An export airworthiness certificate issued under this Subpart remains valid, as long as there is no subsequent design change to the product, until the completion of delivery to the importer's State.

(2) The holder of an export airworthiness certificate invalidated because of a design change must forthwith surrender the certificate to the Executive Director for cancellation of the delivery.

**Transfer of certificate**

**21.11.7** An export airworthiness certificate may only be transferred with the product.

**SUBPART 12**  
**NAM-TSO AUTHORISATIONS**

**NAM-TSO markings**

**21.12.1** A person may not identify an article with NAM-TSO marking unless such person holds a NAM-TSO authorisation and the article complies with the appropriate NAM-TSO performance standards as set out in Document NAM-CATS-AR.

**Application for NAM-TSO authorisation**

**21.12.2** (1) An applicant for the issue of a NAM-TSO authorisation must be the holder of a manufacturing organisation approval issued in terms of Part 148.

(2) An application for the issue of a NAM-TSO authorisation must be

(a) made in the appropriate form set out in Document NAM-CATS-AR; and

(b) accompanied by -

(i) a statement of conformity certifying that the applicant has complied with the requirements prescribed in this Subpart and that the article complies with the appropriate NAM-TSO which is valid on the date of application for such article;

(ii) one copy of the technical data required in the appropriate NAMTSO; and

(iii) the appropriate fee as prescribed in Part 187.

(3) If a series of minor changes in accordance with the provisions of regulation 21.12.6 is anticipated, the applicant may include in its application the basic model number of the article and the part number of the components, with open brackets after such number, to denote that suffix change letters or numbers or combinations thereof will be added from time to time.

(4) If the application is deficient, the Executive Director may request the applicant to submit such additional information which may be necessary to prove compliance with the requirements prescribed in this Subpart.

(5) If the applicant fails to submit the additional information referred to in subregulation (4) within 30 days from the date on which the Executive Director requested such additional information, the application must be declined and the applicant so notified.

**Issue of NAM-TSO authorisation**

**21.12.3** (1) The Executive Director must grant an application referred to in regulation 21.12.2 and issue a NAM-TSO authorisation if -

(a) the applicant complies with the requirements prescribed in this Subpart;

(b) the Executive Director is satisfied that the applicant has the ability to manufacture duplicate articles in accordance with the requirements prescribed in this Subpart; and

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- (c) the Executive Director is satisfied that the issuing of the NAM-TSO authorisation is not contrary to the interests of aviation safety.
- (2) The Executive Director must issue or decline to issue the NAM-TSO authorisation within 30 days after the receipt of the application or, if additional information has been requested, within 30 days from the date of receiving such additional information.
- (3) The Executive Director may not issue the NAM-TSO authorisation if the manufacturing facility for the article is located outside Namibia, unless the Executive Director is satisfied that the location of such facility will not impede the administration of the appropriate airworthiness requirements prescribed in this Part.

**Duties of holder of NAM-TSO authorisation**

**21.12.4** A manufacturer who holds a NAM-TSO authorisation for an article must -

- (a) manufacture the article in accordance with the requirements prescribed in this Subpart and the appropriate NAM-TSO;
- (b) conduct all the required tests and inspections and establish and maintain a quality assurance system which is adequate to ensure that the article complies with the requirements referred to in paragraph (a) and is in condition for safe operation;
- (c) prepare and maintain, for each model of each article for which a NAM-TSO authorisation has been issued, a current file of complete technical data and records in accordance with regulation 21.12.7;
- (d) permanently and legibly mark each article to which this regulation applies with -
  - (i) the name and address of the manufacturer;
  - (ii) the name, type, part number or model designation of the article;
  - (iii) the serial number or the date on which the article was manufactured, or both; and
  - (iv) the appropriate NAM-TSO number.

**Approval for deviation**

**21.12.5** (1) A manufacturer who requests for approval to deviate from any performance standard of a NAM-TSO must demonstrate to the satisfaction of the Executive Director that the standards from which a deviation is requested are compensated for by factors or design features providing an equivalent level of safety.

- (2) The written request for approval to deviate, together with all pertinent data, must –
  - (a) if the article is manufactured in Namibia, be submitted to the Executive Director; and

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- (b) if the article is manufactured in a foreign State, be submitted through the appropriate authority of such State to the Executive Director,

and be accompanied by the appropriate fee as prescribed in Part 187.

- (4) The Executive Director must grant the approval, if the Executive Director is satisfied that the deviation concerned will not jeopardise aviation safety.

**Design changes**

**21.12.6** (1) A manufacturer who holds a NAM-TSO authorisation may make minor design changes to an article without the prior approval of the Executive Director, if the changed article retains the original model number and such holder submits to the Executive Director any revised data which are necessary for compliance with the provisions of regulation 21.12.2(3).

(2) If a manufacturer who holds a NAM-TSO authorisation wishes to make major design changes to an article, the manufacturer must assign a new type or model designation to the article and apply for an authorisation in terms of regulation 21.12.2.

(3) The Executive Director may not approve a design change by any person, other than the manufacturer who submitted the statement of conformity for the article under this Subpart, unless the person seeking the approval is a manufacturer and applies in terms of regulation 21.12.2(2) for a separate NAM-TSO authorisation.

**Record-keeping requirements**

**21.12.7** (1) A manufacturer who holds a NAM-TSO authorisation must, for each article manufactured under the authorisation, keep the following documents at its manufacturing facility:

- (a) a complete and current technical data file for each type or model article, including design drawings and specifications; and
- (b) complete and current inspection records reflecting that all inspections and tests required to ensure compliance with the appropriate requirements prescribed in this Subpart have been properly completed and documented.

(2) A manufacturer who holds a NAM-TSO authorisation must retain the records referred to in subregulation (1)(a) until it no longer manufactures the article concerned, except that at the time that the manufacturing ceases the manufacturer must supply copies of such records to the Executive Director.

(3) A manufacturer who holds a NAM-TSO authorisation must retain the records referred to in subregulation (1)(b) for a period of at least five years.

**NAM-TSO design approval for appliances: import**

**21.12.8** (1) An application for the issuing of a NAM-TSO design approval must be made in the appropriate form set out in Document NAM-CATS-AR and must be accompanied by -

- (a) proof of compliance with the requirements referred to in subregulation (2); and

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the appropriate fee as prescribed in Part 187.(2) A NAM-TSO design approval may be issued for an appliance which is manufactured in a foreign State with which the Namibian government has entered into an agreement for the acceptance of the appliance for export and import and which is to be imported into Namibia if –

- (a) the appropriate authority of the State in which the appliance was manufactured, certifies that the appliance has been examined and tested and complies with -
  - (i) the applicable NAM-TSO; or
  - (ii) the appropriate performance standards prescribed by the appropriate authority of the State in which the appliance was manufactured and any other performance standards set out in Document NAM-CATSAR to provide a level of safety provided by the applicable NAM-TSO; and
- (b) the manufacturer has submitted to the Executive Director one copy of the technical data required in the appropriate performance standards through the appropriate authority.

(3) The Executive Director must issue a NAM-TSO design approval if the applicant complies with the requirements referred to in subregulation (2), and must list any deviation granted to the manufacturer in terms of regulation 21.12.5.

- (4) After the -
  - (a) Executive Director has issued a NAM-TSO design approval; and
  - (b) appropriate authority of the State in which the appliance was manufactured, issues an export certificate of airworthiness referred to in regulation 21.10.1,

the manufacturer is then authorised to identify the appliance in accordance with the NAM-TSO marking requirements referred to in regulation 21.12.4(d) and in the applicable NAM-TSO.

(5) Each appliance must be accompanied by an export certificate of airworthiness referred to in subregulation (4).

#### **Transferability and period of validity**

**21.12.9** (1) A NAM-TSO authorisation issued in terms of regulation 21.12.3 or a NAM-TSO design approval issued in terms of regulation 21.12.8, is -

- (a) not be transferable; and
  - (b) valid until it is surrendered by the holder of the authorisation or is suspended by the Executive Director or by an authorised officer, inspector or authorised person or revoked by the Executive Director.
- (2) The holder of a NAM-TSO authorisation or a NAM-TSO design approval which is suspended must forthwith produce the authorisation or approval upon suspension thereof to the Executive Director or to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

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- (3) The holder of a NAM-TSO authorisation or a NAM-TSO design approval which is revoked must forthwith surrender such authorisation or approval to the Executive Director.

**SUBPART 13**  
**CONTINUING AIRWORTHINESS OF AIRCRAFT**

**Determination of continuing airworthiness of aircraft**

**21.13.1** (1) The continuing airworthiness of an aircraft must be determined by the Executive Director in relation to the mandatory requirements and design standards of the State of Design in force for that aircraft.

(2) The Executive Director must develop or adopt requirements to ensure the continued airworthiness of an aircraft during its service life.

**Information relating to continuing airworthiness of aircraft**

**21.13.2** (1) When an aircraft of a particular type for which -

- (a) Namibia is not the State of Design; and
- (b) the Executive Director issues or validates a certificate of airworthiness in accordance with this Part,

is first entered on the aircraft register, the Executive Director must advise the State of Design that he or she has entered such an aircraft on the register of Namibia.

(2) If Namibia is the State of Design of an aircraft, the Executive Director must transmit any generally applicable information which he or she finds necessary for the safe operation of the aircraft which, for the purpose of this Part, is called mandatory continuing information, as follows:

- (a) to every State which has entered aircraft designed in Namibia on its register; and
  - (b) to any other State upon request.
- (4) The Executive Director must, upon receipt of mandatory continuing airworthiness information from the State of Design –
- (a) adopt the mandatory information directly or assess the information received and take appropriate action to ensure -
    - (i) the continued airworthiness of the aircraft during its service life, including requirements to ensure that the aircraft continues to comply with the appropriate airworthiness requirements after a modification, a repair or the installation of a replacement part; and
    - (ii) that the aircraft is maintained in an airworthiness condition and in compliance with the maintenance requirements of Annex 8 to the Chicago Convention; and
  - (b) transmit all mandatory continuing airworthiness information to the State of Design including, but not limited to, information in respect of products or modifications which originated in respect of that aircraft in the State of Registry.

(4) For aeroplanes over 5700 kilogrammes and helicopters over 3175 kilogrammes maximum certificated take-off mass, each operator certificated in terms of these regulations must

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establish a system whereby information on fault, malfunctions, defects and other occurrences which cause or might cause adverse effects on the continuing airworthiness of the aircraft is transmitted to the organisation responsible for the type design of that aircraft.

(5) Where a continuing airworthiness safety issue is associated with a modification, the Executive Director must ensure that there exists a system whereby the information contained in subregulations (1) to (4) is transmitted to the organisation responsible for the design of the modification.

(6) The Executive Director must ensure that, in respect of aeroplanes over 5700 kilogrammes and helicopters over 3175 kilogrammes maximum certificated take-off mass, each operator of such aircraft who is certificated in terms of these regulations establishes a system for –

- (a) receiving information submitted in accordance with this Subpart;
- (b) deciding if and when airworthiness action is needed;
- (c) developing the necessary airworthiness actions; and
- (d) dissemination of that information in the appropriate aircraft documentation.

(7) The Executive Director must ensure that, in respect of aeroplanes over 5700 kilogrammes and helicopters over 3175 kilogrammes maximum certificated take-off mass, each operator of such aircraft who is certificated in terms of these regulations establishes a continuing structural integrity programme to ensure the airworthiness of the aircraft, and that programme must include specific information concerning corrosion prevention and control.

(8) An operator of an aircraft who or that is certificated in terms of these regulations must provide each aircraft that he or she or it operates with -

- (a) a flight manual, placards or other documents stating the approved limitations within which the aircraft is considered airworthy as defined by the appropriate airworthiness requirements; and
- (b) additional instructions and information necessary for the safe operation of the aircraft.

**SUBPART 14**  
**DISTRIBUTION OF AERONAUTICAL PRODUCTS**

**General**

**21.14.1** (1) For the purpose of this Subpart -

“aeronautical product”, despite the definition in section 1 of the Act, means an aircraft frame, aircraft engine, aircraft propeller or aircraft appliance or a component part of the aircraft frame, engine, propeller or appliance; and

“approved distribution organisation” means an organisation which has been certificated by the Executive Director for the distribution of aeronautical products within Namibia.

(2) This Subpart -

- (a) prescribes the conditions under which a person is eligible for approval by the Executive Director to distribute aeronautical products;
- (b) establishes a person’s entitlement to approval; and
- (c) stipulates the responsibilities of a holder of a distributor approval.

(3) This Subpart does not apply to -

- (a) persons engaged in the distribution of new or used aircraft; or
- (b) an approved manufacturer authorised pursuant to these regulations to certify aeronautical products of its own manufacture.

**Eligibility**

**21.14.2** (1) To be eligible for approval to distribute aeronautical products a distribution organisation must -

- (a) obtain its products from -
  - (i) a manufacturer of aeronautical products who is approved either by the Executive Director or by an appropriate authority of a State with whom Namibia has either a bilateral airworthiness agreement or its equivalent;
  - (ii) a manufacturer who is approved to produce, identify and certify an appliance conforming to a specific appliance type approval or Federal Aviation Agency Technical Standard Order (FAA-TSO);
  - (iii) a manufacturer who produces, identifies and certifies standard parts and materials which conform to established industrial, national or international standards, and which are referenced in approved design data;
  - (iv) an organisation approved either by the Executive Director or an appropriate authority of another State under a bilateral airworthiness agreement to perform maintenance on aeronautical products and that is authorised to certify such products as serviceable and in a condition for safe operation;

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- (v) an organisation which is approved by the Executive Director for the distribution of aeronautical products pursuant to this Subpart; or
  - (vi) a supplier who provides original certification of product conformity to approved design data for supplies acquired from authorised sources as specified in this Subpart;
- (b) show that it has -
- (i) the organisation, facilities, equipment and the personnel necessary to comply with the policies, responsibilities, methods and procedures established in its product control system manual as set out in regulation 21.14.3(2)(a) and in any technical standards issued under Document NAM-CATS-AR; and
  - (ii) established and can maintain a product control system pursuant to regulation 21.14.03.

**Product control system**

**21.14.3** (1) Each applicant must have in place a product control system, planned and developed in conjunction with its other management functions.

- (2) The product control system must include, but need not be limited to -
- (a) a product control system manual which includes, as applicable -
- (i) a statement of commitment by the senior accountable manager to define the policies and objectives of the product control system;
  - (ii) the assignment of responsibilities and delegation of authority granted to the product control department;
  - (iii) a list and a brief description of written product control system procedures pursuant to paragraph (b); and
  - (iv) the method of updating the product control system, including the submission of changes to the Executive Director for approval;
- (b) written product control system procedures which provide instructions and data necessary to retain established integrity of aeronautical products while in the care of the distributor.
- (3) The product control system procedures referred to in subregulation (2)(b) must include, as applicable, but need not be limited to -
- (a) purchasing procedures for ensuring that all aeronautical products obtained for distribution are in conformity with approved design data;
  - (b) receiving and inspection procedures to ensure that all incoming aeronautical products are properly identified, documented and visually inspected to detect any apparent damage that may have occurred during transportation;

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- (c) procedures for the handling, segregation and storage of aeronautical products;
- (d) preservation and packaging procedures to protect aeronautical products against deterioration and damage during storage;
- (e) certification and release procedures for aeronautical products pursuant to this Subpart; and
- (f) procedures for establishing and maintaining records as objective evidence that aeronautical products have been purchased, identified, inspected and certified in conformity with the requirements of this Subpart.

**Entitlement to certification**

**21.14.4** (1) An applicant is entitled to certification, if the Executive Director is satisfied after evaluation of the organisation, facilities and supporting data, that -

- (a) all applicable conditions for eligibility have been met;
- (b) the senior personnel of the organisation meet the fit and proper requirements of the Act and Part 140; and
- (c) the grant of certification will not be against the interests of aviation safety.

(2) Certification under this Subpart is only available to an organisation with facilities located in Namibia.

**Approval procedures: application for approval**

**21.14.5** (1) An application for a distributor approval certificate must be -

- (a) made to the Executive Director on an appropriate form set out in Document NAM-CATS-AR; and
- (b) accompanied by -
  - (i) a general description of the aeronautical products which the applicant distributes or proposes to distribute;
  - (ii) the location and description of the facilities at which the products are to be distributed but, where -
    - (aa) the distribution procedures of a facility are carried out at more than one location under the same management, all locations must be shown in the application for approval; and
    - (bb) the distributor's product control system varies with each location, separate applications for approval must be submitted;
  - (iii) a copy of the applicant's product control system manual showing the functional responsibilities of management personnel; and

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- (iv) the name and position of the senior person authorised to liaise with airworthiness inspection personnel of the Authority.

(2) The applicant must, on request and with reasonable notice by the Executive Director, make available to the Executive Director all data referred to in its application and in its product control system manual.

**Granting of approval**

**21.14.6** (1) To enable the Executive Director to evaluate the applicant's facilities and capabilities, the applicant must allow the Executive Director or an authorised officer, inspector or authorised person reasonable access to its facilities and data, and provide assistance when requested.

(2) The Executive Director must grant an application and issue a distributor approval certificate if, after examination of the supporting data and after inspection of the organisation and distribution facilities, the Executive Director is satisfied that the applicant has met the requirements of regulations 21.14.02 to 21.14.05, inclusive.

(3) The approval certificate is issued on the appropriate form set out in Document NAM-CATS-AR, and must set forth the

- (a) certificate number;
- (b) name and address of the certificate holder; and
- (c) date of signature and the title of the person authorised to sign on behalf of the Authority.

**Privileges of certification**

**21.14.7** An approval certificate holder may authorise persons who have been -

- (a) registered with the Authority to certify, on behalf of the holder, airworthiness documentation for aeronautical products destined for embodiment in Namibian registered aircraft; and
- (b) specifically designated or appointed as airworthiness inspectors pursuant to section 37 of the Act to certify airworthiness documentation on behalf of the Executive Director for aeronautical products, other than aircraft, destined for export.

**Duties of holder of distribution approval certificate**

**21.14.08** The holder of an approval certificate must

- (a) maintain its organisation, facilities and product control system as approved by the Executive Director;
- (b) ensure that each aeronautical product which it distributes can be shown through documented evidence to conform to approved design data;

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- (c) notify the Executive Director within a reasonable time of any significant change to the organisation, facilities or product control system which could affect the exercise of the privileges of certification or the conditions under which certification was granted;
- (d) allow, and assist as necessary, the Executive Director or an airworthiness inspector to perform, in its plant or in any of its supplier's plants, inspections on reasonable notice to determine continuing compliance with the requirements of this Subpart; and
- (e) retain all product control system records for a minimum of two years after delivery of the aeronautical product.

**Display of certificate**

**21.14.9** A certificate holder must -

- (a) display the certificate in a conspicuous and prominent place that it can be readily seen by the public at such holder's distribution facility; and
- (b) if a copy of the certificate is displayed, produce the original certificate to an authorised officer, inspector or authorised person if so requested by such authorised officer, inspector or authorised person.

**Transferability and period of validity**

**21.14.10** (1) A distribution approval certificate issued in terms of this Subpart is -

- (a) not transferable; and
- (b) valid for a period determined by the Executive Director or until it is -
  - (i) surrendered by the holder; or
  - (ii) suspended by the Executive Director or by an authorised officer, inspector or authorised person, or is revoked by the Executive Director, pursuant to regulation 21.01.8.

(2) The holder of an approval certificate which is suspended must forthwith upon suspension produce it to the Executive Director or to the authorised officer, inspector or authorised person for the appropriate endorsement.

(3) The holder of an approval certificate which is revoked must forthwith surrender such approval to the Executive Director.

(4) If a certificate holder plans to relocate, it must notify the Executive Director within 60 days of its intention to relocate and provide details of the new location and a description of the facilities at which the aeronautical products are to be distributed.

**Authorised signatories**

**21.14.11** In order to exercise the privileges pursuant to this Subpart, the holder of a certificate must -

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- (a) submit to the Executive Director the names of the personnel whom the distributor proposes to designate as having signing authority to sign release certifications on behalf of the approved organisation as specified in this Subpart;
- (b) obtain the Executive Director's written confirmation of receipt of the names of the personnel authorised to sign the release certifications, before allowing them to sign on behalf of the approved organisation; and
- (c) notify the Executive Director of any changes to the authorised personnel or the scope of their authorisation.

**Certification: aeronautical products**

**21.14.12** (1) A certificate holder must, on releasing an aeronautical product to a customer, provide that customer with a completed release certificate properly describing the product by the manufacturer's name, part or model number, serial number, if applicable, and its nomenclature.

(2) The release certificate must also include the following certification statement to be signed by an authorised signatory:

*"I hereby certify that the aircraft parts described hereon were acquired from a source of supply that is consistent with the conditions under which certification of the said parts has been granted".*

- (3) An authorised signatory may only sign the certification statement -
  - (a) for a product which has been received, stored and released in accordance with the procedures set out in the approved organisation's product control system manual; and
  - (b) where documented evidence of product conformity to the manufacturer's design specifications has been received and is retained by the approved organisation.
- (4) For imported products, subject to the requirements prescribed in subregulation (5), the documented evidence specified in subregulation (3) must comply with the following requirements:
  - (a) airframes, aircraft engines, propellers, appliances and any parts and assemblies thereof, must have been received by the certificate holder with inspection release documents or tags that were originated and signed on the authority of an approved organisation;
  - (b) proprietary parts and accessories that are listed in approved product parts catalogues, but excluding those requiring approval to Authority appliance standards or FAA Technical Standard Orders, must have been received by the certificate holder with inspection release documents or tags traceable to the manufacturer or an approved organisation;
  - (c) materials intended for aircraft construction or maintenance must have been received by the certificate holder with release documentation from -
    - (i) an approved organisation; or
    - (ii) a supplier who can provide proof of conformity to the material specifications in -

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(aa) certificates supplied by the manufacturers; or

(bb) test and analysis reports prepared by qualified persons working in a materials test laboratory; and

(d) standard aircraft hardware manufactured to government or industry association standards must have been received by the approved organisation with packing notes, invoices or equivalent documents that identify the product and the supplier.

(5) For imported products the documented evidence referred to in subregulation (3) must, in addition to the requirements prescribed in subregulation (4)(b), (c) or (d), comply with the following requirements:

(a) except for engines or propellers being returned to Namibia with FAA repair station maintenance release tags, each foreign manufactured aircraft engine or propeller must have been received with an export airworthiness certification signed by a representative of the appropriate authority of the country of export certifying that such engine or propeller conforms to the type approval stated on the document; and

(b) aircraft parts, appliances and assemblies from FAA approved organisations must have been received with release notes or tags, but imports from other sources must have been received with airworthiness tags or release notes signed by a representative of the appropriate authority of the country of export.

(5) Any number of items may be included on an approved organisation's release note provided there is only one customer involved and that each item is clearly described and identified.

**Certification for export**

**21.14.13** (1) An approved organisation may, except for materials, standard aircraft hardware and proprietary parts and accessories, obtain an export airworthiness certificate from the Executive Director for any aeronautical product where -

(a) the organisation can demonstrate conformity to approved design data through documented evidence traceable to an approved manufacturer; and

(b) it can be determined that the product is in a condition for safe operation.

(2) In order to obtain an export airworthiness certificate for an aircraft engine or propeller, the approved organisation must comply with the requirements set out in the appropriate form set out in Document NAM-CATS-AR.

(3) Following an inspection of the product and completion of the form referred to in subregulation (2) by the Executive Director or by an authorised officer, inspector or authorised person and issuance of the export certificate of airworthiness by the Executive Director, the approved organisation must –

(a) ensure that the export certificate of airworthiness and all other tags as required accompany the engine or propeller; and

(b) retain a copy for its records.

(4) In order to obtain an export airworthiness certificate for a product other than that described in subregulations (1) and (2), the approved organisation must complete a release certificate, certified by an authorised signatory, for the signature and inspection stamp of the Executive Director.

**SUBPART 15**  
**IDENTIFICATION OF AIRCRAFT, AIRCRAFT ENGINES AND PROPELLERS**

**Identification of aircraft, aircraft engines and propellers**

**21.15.1** (1) Every person who manufactures an aircraft or aircraft engine under Part 148 must identify the aircraft or engine by means of a fireproof data plate that is -

- (a) marked with the identification information prescribed in regulation 21.15.2 by etching, stamping, engraving or other method of fireproof marking;
- (b) secured in such a manner that it is not likely to be
  - (i) defaced or removed during normal service; or
  - (ii) lost or destroyed in an accident;
- (c) for an aircraft other than a manned free balloon, secured to the fuselage so that it is legible to a person on the ground -
  - (i) at an accessible location near an entrance; or
  - (ii) externally on another part of the fuselage;
- (d) for an aircraft engine, secured to the engine at an accessible location;
- (e) for a manned free balloon -
  - (i) secured to the balloon envelope; and
  - (ii) located where it is visible to the operator when the balloon is inflated; and
- (f) for a RPA, subject to compliance with Part 101, secured in a manner or located at a place considered appropriate or acceptable by the Executive Director.

(2) Every person who manufactures a manned free balloon must, in addition to subregulation (1), permanently and legibly mark the basket and any heater assembly with -

- (a) the manufacturer's name;
- (b) a part number or an equivalent; and
- (c) a serial number or an equivalent.

(3) Every person who manufactures a propeller, propeller blade or propeller hub under Part 148 must identify it by means of a fireproof data plate or by etching, stamping, engraving, or other method of fireproof marking, that -

- (a) contains the identification information prescribed in regulation 21.15. 2;

- (b) is placed on a non-critical surface; and
- (c) is not likely to be -
  - (i) defaced or removed during normal service; or
  - (ii) lost or destroyed in an accident.

**Identification information**

**21.15.2** The identification information that is required to be marked on the data plate under regulations 21.15.1 and 21.15.3(1)(a), and for the identification of a propeller, propeller blade, or propeller hub under those regulations must include -

- (a) the manufacturer's name;
- (b) the model designation;
- (c) the manufacturer's serial number;
- (d) if applicable, the type certificate or type acceptance certificate number;
- (e) if applicable, the manufacturing organisation certificate number or foreign equivalent;
- (f) for an aircraft engine, the established rating; and
- (g) any other information that the Executive Director may require.

**Removal, alteration and replacement of identification information**

**21.15.3** (1) Except as provided in subregulation (2), a person may not remove, alter or replace any of the following without the approval of the Executive Director -

- (a) the identification information that is required under regulations 21.15.1 (1) (a) and 21.15.2 to be marked on a data plate;
- (b) the identification information that is required under paragraph (a) and regulation 21.15.2 to identify a propeller, propeller blade or propeller hub; or
- (c) the part number and serial number that is required under regulation 21.15.5 for the identification of a critical part.

(2) A person performing maintenance in accordance with Part 43 or 44 may remove, alter or replace the identification information referred to in subregulation (1)(a) and (b), and the part and serial number referred to in subregulation(1)(c), if the removal, alteration, or replacement is carried out in accordance with a method, technique or practice that is acceptable to the Executive Director.

**Removal and reinstallation of data plate**

**21.15.4** (1) Except as provided in regulation 21.15.3(2), a person may not remove or reinstall the data plate containing the identification information prescribed in regulation 21.15. 2, unless that person has obtained the approval of the Executive Director to do so.

(2) A person performing maintenance in accordance with Part 43 or 44 may remove or reinstall the data plate containing the identification information prescribed in regulation 21.15. 2 if -

- (a) the removal of the data plate is necessary during the maintenance;
- (b) the data plate is removed and reinstalled in accordance with methods, techniques and practices acceptable to the Executive Director; and
- (c) the removed data plate is reinstalled on the product or part from which it was removed.

**Identification of critical parts**

**21.15.5** Every person who manufactures a critical part of an aircraft must permanently and legibly mark the part with -

- (a) a part number or an equivalent; and
- (b) a serial number or an equivalent.

**Identification of replacement and modification materials, parts and appliances**

**21.15.6** (1) Except as provided in subregulation (2), every person who manufactures a replacement or modification part or appliance under Subpart 9 must, in addition to the identification information prescribed in regulation 21.15.2, permanently and legibly mark the part or appliance with -

- (a) the letters 'NAM-TSO' or 'NAM-PMA,' as appropriate;
- (b) the name, trademark or symbol of the holder of the authorisation;
- (c) the part number; and
- (d) the name and model designation of each product issued with a type certificate or type acceptance certificate on which the part is eligible for installation.

(2) Every person who manufactures a replacement or modification material, part or appliance under Subpart 9 must permanently and legibly mark the material, part or appliance in such a manner as to ensure it can be -

- (a) identified separately to those otherwise acceptable materials, parts and appliances; and
- (b) clearly related to its manufacturing data.

(3) If a material, part or appliance is too small or it is otherwise impractical to mark the material, part or appliance with the information required by subregulation (1) or (2), the information must be recorded on a tag attached to the material, part, appliance or its container.

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(4) Where the marking required by subregulation (1)(d) is so extensive that to record it on a tag is impractical, the tag attached to the material, part, appliance or the container may refer to a specific readily available manual or catalogue for the name and model designation of each product issued with a type certificate or type acceptance certificate on which the material, part or appliance is eligible for installation.

**Life-limited component identification**

**21.15.7** (1) The manufacturer of a component for which a life-limitation has been established by type design must, in accordance with this regulation, place on the component the identification information referred to in subregulation (2).

(2) The identification information that must be placed on a component is -

- (a) the part number of the component or an equivalent series of identifying characters; and
- (b) the serial number of the component or an equivalent series of identifying characters.

(3) When requested by a person required to comply with this Subpart, the holder of a type certificate or design approval for a life-limited part must provide marking instructions or must state that the part cannot be practicably marked without compromising its integrity.

(4) Compliance with this Subpart may be made by providing marking instructions in readily available documents, such as the maintenance manual or the Instructions for Continued Airworthiness.