

PROPOSAL FOR THE AMENDMENT OF DOCUMENT SA-CATS 61 ISSUED UNDER THE CIVIL AVIATION REGULATIONS, 2011

PROPOSER

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PROPOSER'S INTEREST

This proposer has been established in terms of the Civil Aviation Act, 2009 (Act No. 13 of 2009), to control and regulate civil aviation in South Africa and to oversee the functioning and development of the civil aviation industry, and, in particular, to control, regulate and promote civil aviation safety and security.

GENERAL EXPLANATORY NOTE

Words in **[bold and square brackets]** indicate deletions from the existing regulations.
Words underlined with a solid line indicate insertions in the existing regulations.

1. PROPOSAL FOR THE AMENDMENT OF DOCUMENT SA-CATS 61

1.1 It is hereby proposed to amend Document SA-CATS 61 by:

- (a) the addition in technical standard 61.01.10 after subsection (12) of the following subsection:

“(12A) Deferment of 18 months cut-off period by granting of additional time

- (a) notwithstanding the prescriptions in paragraphs (11) and (12) above, the Commissioner may, on application, grant an applicant an additional period within which to attempt an examination or examinations;
- (b) an additional period may be granted subject to the following conditions:
 - (i) the reason or reasons for the application shall be specified clearly in the application;
 - (ii) the additional period requested may only be granted in circumstances of personal emergency or in case of the serious illness or injury or psychological trauma of the

applicant or his or her immediate family, the death of an immediate family member or in situations where an applicant was required to remain outside of the borders of the Republic for extended periods of time for work purposes;

- (iii) the circumstances listed above shall have occurred within the existing 18-month cycle;
- (iv) documentary proof of the circumstances referred to in subparagraph (ii) shall be included with the application and shall, in the case of an application on medical grounds, include a satisfactory medical certificate issued by a medical practitioner registered with the Health Professional Council of South Africa;
- (v) an application shall be made at least seven (7) days prior to the expiry of the 18-month period;
- (vi) an applicant may be granted a maximum of one (1) additional period in each 18-month cycle;
- (vii) the maximum additional period that may be granted and shall not be more than sixty (60) calendar days;
- (viii) an applicant may not have attempted an examination subject that he or she wishes to write during the additional period more than five (5) times in the existing 18-month cycle; and
- (ix) in a case where the 18-months cut-off is deferred by more than thirty (30) days, any examination credit older than 18 months shall be forfeited and the applicable subject rewritten.

- (c) an additional period may be approved by the Commissioner after having regard to the reason or reasons provided and the documentary proof submitted; and
- (d) an application shall be made on the prescribed form”.

- (b) the addition in technical standard 61.01.10 after subsection (14) of the following subsection:

“(14A) Deferment of 36 months cut-off period by granting of additional time

- (a) notwithstanding subsections (13) and (14), the Director may, on application, grant an applicant an additional period within which to undergo the required skills test.
- (b) an application for an additional period shall be restricted to a candidate in the process of obtaining a PPL, CPL, or Grade III Flight Instructor Rating;
- (c) an additional period may be granted subject to the following conditions:

- (i) the reason or reasons for the application shall be specified clearly in the application;
- (ii) the additional period requested shall only be granted in circumstances of personal emergency or in the case of serious and extended illness or injury or extended psychological trauma of the applicant, in situations where an applicant was required to remain outside of the borders of the Republic for extended periods of time for work purposes or in a case where unforeseeable and ruinous circumstances had a direct impact on the applicant's ability to obtain the required flight time;
- (iii) the circumstances listed above shall have occurred within the existing 36-month cycle;
- (iv) documentary proof of the circumstances referred to in subparagraph (ii) shall be included with the application and shall, in the case of an application on medical grounds, include a satisfactory medical certificate issued by a medical practitioner registered with the Health Professional Council of South Africa;
- (v) an application shall be made at least seven (7) days prior to the expiry of the 18-month period;
- (vi) an applicant shall be granted a maximum of one (1) additional period in each 36-month cycle;
- (vii) the maximum additional period that may be granted shall be not more six (6) months;
- (viii) in a case where the 36-months cut-off is deferred by more than thirty (30) days, any examination credit older than 54 months shall be forfeited and the applicable subject rewritten;
- (d) an additional period may be approved by the Director after having regard to the reason or reasons provided and the documentary proof submitted; and
- (e) an application shall be made on the prescribed form”.”

Motivation

This proposal seeks to provide the Director with discretionary powers to either grant or reject an application for additional period within which to complete all required examination subjects. In addition, it seeks to provide the Director with discretionary powers to either grant or reject an application for an additional period within which to undergo a skills test, if this cannot reasonably

be undergone within 36 months from the date of gaining a pass in all of the required examination subjects.