

PROPOSAL FOR THE AMENDMENT OF PART 149 OF THE CIVIL AVIATION REGULATIONS, 2011

PROPOSER

South African Civil Aviation Authority
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PROPOSER'S INTEREST

The 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 solid square bracket]** indicate deletions from the existing regulations. Words underlined with a solid line indicate insertions in the existing regulations.

1. PROPOSAL FOR AMENDMENT OF REGULATION 149

1.1 It is hereby proposed to amend regulation 149 of the CAR by the deletion of regulation 149.01.2 as below:

[149.01.2 Designation of body or institution.—(1) The Director may designate a body or institution to—

- (a) establish safety standards relating to aviation recreation;**
- (b) exercise control over an aviation recreation organisation [designated] under the provisions of this Part;**
- (c) determine standards for the operation or airworthiness of aircraft involved in aviation recreation;**
- (d) issue special flight permits;**
- (e) determine standards for the licensing of personnel involved in aviation recreation;**
- (f) issue licences to such personnel; and**

- (g) advise the Director on any matter connected with the operation or airworthiness of aircraft or the licensing of personnel involved in aviation recreation.**
- (2) The designation referred to in sub-regulation (1) shall be made in writing and shall be published in the *Gazette* within 30 days from the date of such designation.**
- (3) The powers and duties referred to in sub-regulation (1) shall be exercised and performed according to the conditions, rules, requirements, procedures or standards as prescribed in Document SA-CATS 149.]**

MOTIVATION

Parts 94, 105 and 149 repeatedly make erroneous references to the term “Designation” or “designated body” such as “aviation recreation organisations (ARO) designated by the Director”.

The purpose of this amendment is to clarify and rectify these errors by removing such references in Parts 94 and 105 and replacing them with terms such as “approval” or “aviation recreation organisation approved by the Director”.

Furthermore, the references to designated body be remove and replaced with the Director as all functions previously designated to an outside body have been withdrawn and insourced back to the SACAA and reside under the authority of the Director.