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GOVERNMENT NOTICE

DEPARTMENT OF TRANSPORT

No. R. 425

18 May 2001

AVIATION ACT 1962**PROPOSED AMENDMENT TO THE CIVIL AVIATION REGULATIONS, 1997**

Under regulation 11.03.2(1)(a) of the Civil Aviation Regulations, the Chairperson of the Civil Aviation Regulations Committee (CARCOM) hereby publishes for comment the proposed amendment to the Civil Aviation Regulations, 1997, as set out in the schedules. Any comments or representations on the proposed amendment should be lodged in writing with the Chairperson of the Regulations Committee, for attention Mr. Kim Gorringer or Mr. Herman Wildenboer, Private Bag X08, Waterkloof, 0145, fax: (012) 346-5979, or e-mail at goringek@caa.co.za or wildenboerh@caa.co.za, before or on 18 June 2001.

SCHEDULE 1**1. PROPOSAL TO AMEND REGULATION 1.00.1 OF THE REGULATIONS****PROPOSER**

Civil Aviation Authority
Private Bag X8
WATERKLOOF
0145

EXPLANATION OF INTEREST OF THE PROPOSER

The Proposer administers the Aviation Act, 1962 (Act No 74 of 1962), and regulations and technical standards issued in terms thereof.

1.1 PROPOSED AMENDMENT OF THE DEFINITION OF "AIR TRAFFIC SERVICE" IN REGULATION 1.00.1

"air traffic service" means a service provided for the purpose of safe and efficient conduct of flights, expeditious and orderly flow of air traffic, assisting in aircraft search and rescue, and includes –

- an aerodrome control service;
- an approach control service;
- an area control service;
- an approach radar control service;
- a flight information service; and

an aerodrome flight information service.”.

1.2 MOTIVATION

The proposed definition is more comprehensive in nature as it also now makes provision for an approach radar control service and an aerodrome flight information service.

1.3 CURRENT PROVISION

“air traffic service’ means an aerodrome control service, an approach control service, an area control service, a flight information service, an air traffic advisory service or an alerting service.”.

SCHEDULE 2

1. PROPOSAL TO AMEND REGULATION 91.04.3 OF THE REGULATIONS

Proposer:

**Civil Aviation Authority
Private Bag X08
Waterkloof
0145**

EXPLANATION OF INTEREST OF THE PROPOSER

The Proposer administers the Aviation Act, 1962 (Act No. 74 of 1962) and regulations and technical standards issued in terms thereof.

2.1 PROPOSED AMENDMENT OF SUB-REGULATIONS 91.04.3(1) AND (2):

“Aircraft operating lights

91.04.3 (1) No owner or operator of an aircraft shall operate such aircraft by night unless the aircraft is equipped with-

- (a) serviceable navigation lights; and
- (b) two serviceable landing lights; or
- (c) one single serviceable landing light housing with two separately energized filaments; and
- (d) a serviceable rotating beacon or strobe light; and
- (e) a serviceable and intrinsically safe electrical torch for each required flight crew member, readily accessible to such crew member when seated at his or her designated station.

(2) Power supplied from the electrical system of the aircraft shall-

- (a) provide adequate illumination for all instruments and equipment, used by the flight crew and essential for the safe operation of the aircraft; and
- (b) be adequate to provide illumination in all passenger compartments, if any."

2.2 MOTIVATION:

The current sub-regulation (1) prescribes lights and torches for daylight flights, which is clearly incorrect. Furthermore, no parachute flares are anymore carried in large aircraft. The regulation is brought in line with ICAO requirements.

2.3 CURRENT PROVISION:

Aircraft operating lights

91.04.3 (1) No owner or operator of an aircraft shall operate an aircraft by day unless the aircraft is equipped with –

- (a) an anti-collision light system;
- (b) lighting supplied from the electrical system of the aircraft to provide adequate illumination for all instruments and equipment used by the flight crew essential for the safe operation of such aircraft;
- (c) lighting supplied from the electrical system of the aircraft to provide illumination in all passenger compartments, if any; and
- (d) an intrinsically safe electric torch for each required flight crew member readily accessible to such flight crew member when seated at his or her designated seat.

(2) No owner or operator of an aeroplane shall operate the aeroplane by night unless such aeroplane is equipped with –

- (a) the instruments and equipment referred to in sub-regulation (1);
- (b) navigation or position lights;
- (c) two landing lights or a single light having two separately energized filaments; and
- (d) in the case of an aeroplane with a maximum certificated mass exceeding 5 700 kilograms, two parachute flares.

SCHEDULE 3**3. PROPOSAL TO AMEND REGULATION 172.02.2 OF THE REGULATIONS****PROPOSER**

Civil Aviation Authority
Private Bag X8
WATERKLOOF
0145

EXPLANATION OF INTEREST OF THE PROPOSER

The Proposer administers the Aviation Act, 1962 (Act No 74 of 1962), and regulations and technical standards issued in terms thereof.

**3.1 PROPOSAL TO AMEND REGULATION 172.01.2(2)
(ALLOCATION OF AIR TRAFFIC SERVICES)**

"The need for the provision of air traffic services shall be determined after consideration of-

- (a) the types of air traffic involved;
- (b) the density of air traffic;
- (c) the meteorological conditions;
- (d) the various airspace utilization considerations as contained in Document SA-CATS-ATS;
- (e) the sustainable commercial viability of a proposed air traffic service, including the costs incurred in setting up the service as well as the projected maintenance costs involved; and
- (f) any other factors which may be relevant."

3.2 MOTIVATION

The amended regulation makes provision for the consideration of the various airspace utilization considerations set out in the relevant CATS document and furthermore requires the consideration of the sustainable commercial viability of a proposed air traffic service when deciding whether a need for the provision of an air traffic service at a particular aerodrome exists.

3.3 CURRENT PROVISION

"(2) The need for the provision of air traffic services shall be determined after consideration of-

- (a) the types of air traffic involved;
- (b) the density of air traffic;

- (c) the meteorological conditions; and
- (d) any other factor which may be relevant".

SCHEDULE 4

4. PROPOSAL TO INSERT REGULATION 172.01.2(3) INTO THE REGULATIONS

PROPOSER

**Civil Aviation Authority
Private Bag X8
WATERKLOOF
0145**

EXPLANATION OF INTEREST OF THE PROPOSER

The Proposer administers the Aviation Act, 1962 (Act No 74 of 1962), and regulations and technical standards issued in terms thereof.

4.1 PROPOSED INSERTION OF REGULATION 172.01.2(3) (PROVIDING OF AN AIR TRAFFIC SERVICE AT OWN INITIATIVE)

"PROVIDING OF AN AIR TRAFFIC SERVICE AT OWN INITIATIVE

The provisions of regulation 172.01.2(2) does not preclude an aerodrome license holder from providing at his own initiative air traffic services that complies to or exceeds the minimum required level."

4.2 MOTIVATION

The proposed insertion will allow an aerodrome license holder to provide on his own initiative air traffic services on certain conditions.

4.3 CURRENT PROVISION

No current provision exists.

SCHEDULE 5

5. PROPOSAL TO INSERT REGULATION 172.01.9 INTO THE REGULATIONS

PROPOSER

**Civil Aviation Authority
Private Bag X8**

**WATERKLOOF
0145****EXPLANATION OF INTEREST OF THE PROPOSER**

The Proposer administers the Aviation Act, 1962 (Act No 74 of 1962), and regulations and technical standards issued in terms thereof.

**5.1 PROPOSED INSERTION OF REGULATION 172.01.9
(WITHDRAWAL OF AIR TRAFFIC SERVICE UNIT APPROVAL)****"WITHDRAWAL OF AIR TRAFFIC SERVICE UNIT APPROVAL"**

In the event of a request for the withdrawal of air traffic services provided at an aerodrome by an air traffic service unit in terms of regulation 172.01.3 the factors mentioned in regulation 172.01.2(2) have to be taken into consideration by the Commissioner in deciding whether the air traffic services rendered at the aerodrome in question should be continued or be withdrawn".

5.2 MOTIVATION

The proposed regulation makes provision for the factors that have to be taken into account when considering a request for the withdrawal of air traffic services.

5.3 CURRENT PROVISION

No current provision exists.

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