# PROPOSAL FOR THE AMENDMENT OF SA CATS 141 ISSUED UNDER 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 SA CIVIL AVIATION TECHNICAL STANDARD 141**

1.1 It is hereby proposed to amend Document SA-CATS 141 by the insertion after technical standard 141.01.25 of the following technical standard:

**“141.01.26 Introductory flight at an ATO/DTO**

1 A student or learner is deemed to be a person whose sole intention is to be enrolled at an ATO/DTO for the purposes of receiving training towards the issuance of a license under Part 61 and 62 of the regulations.

2. An introductory flight is designed to allow people to be taken on air experience tours in aircraft. Provided the following conditions are met, it is not necessary for a pilot to be an instructor or for the flight to be operated under commercial air transport rules. A flight shall be performed either through an ATO or DTO with its [principal place of business](https://publicapps.caa.co.uk/modalapplication.aspx?appid=11&mode=detail&id=7872) in the Republic, or through an organisation created to promote aerial sport or leisure aviation and based in the Republic , on the condition that:

(a) an aircraft is either owned or dry leased by the organisation;

(b) any profit made from the flights are kept within the organisation; and

(c) if non-members of the organisation are involved, therefore the flights represent may only represent a minimal activity of the organisation.

3. Type and Non-Type Certificated aircraft may be used; however, they shall have either a valid Certificate of Airworthiness, or be a type approved permit to fly aircraft or a type formally holding a Certificate of Airworthiness in respect of which the aircraft is already allowed to be used for remunerated training and self-fly hire as regulated by Subpart 3 of Part 141 of the regulations

4. An introductory flight shall last a minimum of 30 to 90 minutes, although for gliders this may vary depending on the weather. In the case of an aeroplane or helicopter, they must return to the place of departure.

5. An introductory flight shall not be designed and shall not be sold or to replace the traditional trial lesson in which a qualified instructor would typically give a demonstration of the controls and some flight training exercises with the participant handling an aircraft.

6. Where the flight is conducted by a pilot who does not hold a valid instructor certificate, control of an aircraft shall not be handed over to the passenger under any circumstances. Flight time as a passenger on an introductory flight shall not count as training towards the issuance of a pilot’s licence.

7. If the potential student or learner who wishes to handle the controls, a trial lesson shall be booked, and an appropriate instructor shall be rostered for the flight.

8. A holder of a PPL may conduct introductory flight and shall not personally receive any payment for doing so.

9. An introductory flight conducted at an ATO in any area other than the circuit shall be deemed to be flipping as defined in regulation CAR 96.01.1(7).

10. Flipping is not training nor is it an introductory flight and is therefore prohibited by Part 141 of the regulations.

11. An ATO that conducted flipping operations under the guise of an ATO or DTO operation are to cease this activity and shall apply to the Authority for Part 96 approval”.“

# MOTIVATION

## ATOs are contravening Regulation 96.01.1(7) by conducting flipping flights under the guise of introductory flights and this technical standard is aimed at reducing contravention of the regulations by giving further guidance.