 <p><b>SOUTH AFRICAN CIVIL AVIATION AUTHORITY</b></p>	<p><b>REPUBLIC OF SOUTH AFRICA</b></p> <p><b>CIVIL AVIATION AUTHORITY</b></p>	<p><b>SACAA</b> Private Bag X 73 Halfway House 1685</p>
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## SALE OR TRANSFER OF OWNERSHIP OF AN AVIATION TRAINING ORGANISATION

### 1. APPLICABILITY

- 1.1. This notice is applicable to all Accountable Executives/Managers of Aviation Training Organisations (ATO) approved in terms of the Civil Aviation Regulations, 2011 (As amended). Revision 2 replaces General Notice # PEL-2021/ATO 001 Revision 1 dated 2 September 2021.

### 2. PURPOSE OF THIS GENERAL NOTICE

- 2.1 This General Notice serves to address and clarify the process for sale or transfer of ownership of an ATO approved in terms of the Civil Aviation Regulations, 2011 (As amended).


### 3. ICAO GUIDING PRINCIPLE

- 3.1 ICAO Document 9841 Third Edition dated 2018 - Manual on the Approval of Training Organisations is the latest publication which provides guidance for the development of regulations for the approval of an ATO.
- 3.2 Chapter 1 Para 1.2.2 of Document 9841 states QUOTE **"In all cases, ATOs require an accountable executive who is the final authority on decisions that may impact upon the continued suitability of the organisation to deliver training to aviation personnel for licensing purposes."** UNQUOTE

### 4. GUIDANCE FOR THE APPROVAL HOLDER OF AN ATO

- 4.1 CAR 141.02.11 (1) Subject to the provisions of sub-regulation (2), an ATO approval shall not be transferable.
- (2) A change in ownership of the holder of an approval to conduct aviation training shall be deemed to be a change of significance referred to in regulation 141.02.12."
- 4.2 The Accountable Executive/Manager is the final authority on decisions that may impact upon the continued suitability of the organisation to deliver training to aviation personnel for licensing purposes.
- 4.3 The approval holder of an ATO shall undergo an abbreviated five phase certification process in the event of a change of Accountable Executive/Manager due to the following reasons-
- (a) Sale of the ATO; or
  - (b) Transfer of ownership.

- 4.4 The abbreviated five phase certification process will be managed administratively by the SACAA and would require-
- (a) Resignation letter from previous Accountable Executive/ Manager and approval of the new Accountable Executive/Manager;
  - (b) Approval of a revised TPM; and
  - (c) Any other process as determined necessary for certification.
- 4.5 The Accountable Executive/Manager shall ensure that all Part 187 fees are paid in full prior to the sale of the ATO and shall ensure that the ATO Certificate and Training Opspec are current for continued operations.
- 4.6 The Accountable Executive/Manager shall maintain operational control of the ATO until successful completion of the certification phase unless-
- (a) an application is made to place the ATO into Dormancy; or
  - (b) Notification is given for the sale and closure of the ATO.
- 4.7 The Accountable Executive/Manager shall maintain operational control of the ATO at all times and shall ensure continued safe operations of the ATO by delegating his/her authority as Accountable Executive/Manager for a maximum period of 90 days to a responsible ATO management appointed person (ATO Post Holder), to cater for his/her medical incapacity or any other unforeseen circumstance.
- 4.8 In the case of death of the Accountable Executive/Manager before delegation of his/her authority to act as the Accountable Executive/Manager, authority is automatically delegated to an appointed person (ATO Post Holder), for a maximum period of 90 days to provide for the appointment and vetting of the succeeding permanently appointed Accountable Executive/Manager.
- 4.9 The ATO may continue operations on successful completion of the certification process.

Issued by the South African Civil Aviation Authority (SACAA)		
	<b>JOHAN NIEMAND</b>	<b>14 September 2021</b>
<b>SENIOR MANAGER: PERSONNEL LICENSING</b>	<b>NAME IN BLOCK LETTERS</b>	<b>DATE</b>