 <p>SOUTH AFRICAN CIVIL AVIATION AUTHORITY</p>	<p align="center">REPUBLIC OF SOUTH AFRICA</p> <p align="center">CIVIL AVIATION AUTHORITY</p> <p align="center">GENERAL NOTICE # PEL-2021/003 Revision 1</p>	<p align="center">SACAA Private Bag X 73 Halfway House 1685</p>
<p>Tel: (011) 545-1323</p> <p>E-Mail: niemandj@caa.co.za</p>		<p align="center">DATED: 31 March 2021</p>

WRITING OF PPL EXAMINATIONS WITH NATIONAL PILOT LEARNER'S CERTIFICATE

1. Applicability

- 1.1. This Personnel Licensing (PEL) General Notice is applicable to holders of a National Pilot Learner's Certificate (NPLC) or National Pilot Licence (NPL) that intend to enter for or have successfully written one or more PPL theoretical knowledge examinations.
- 1.2. It also contains information of interest to certain Private Pilot Licence (PPL) holders.
- 1.3. This General Notice is valid from 2021-03-31 until withdrawn or superseded by an amendment.

2. Purpose of this General Notice

- 2.1. This General Notice serves to address the problematic situation in which holders of an NPLC have in the past entered for and attempted PPL theoretical knowledge examinations without holding a valid or recent South African SPL or NPL.
- 2.2. The notice furthermore addresses applications for an NPL in cases where the applicant passed PPL examinations in lieu of the prescribed Part 62 examinations.
- 2.3. This General Notice also provides clarity on SACAA policy in this regard and gives guidance on the administration of license applications affected by this practice.

3. Background

- 3.1. On 1 April 2019, the Recreational Aviation Authority of South Africa (RAASA), the entity responsible for recreational aviation at the time, was absorbed into the South African Civil Aviation Authority and ceased to exist operationally. The SACAA PEL Department is responsible for the oversight of the training and examination of personnel involved in aviation operations and has since assumed responsibility for the licensing functions previously performed by RAASA.
- 3.2. In consequence, the PEL department has recently become aware of an irregularity regarding the writing of PPL examinations by non-SPL or non-NPL holders. According to RAASA's interpretation of licensing requirements, holders of Part 62 NPLCs (i.e. recreational student pilot licences) could enter for and write PPL examinations. This practice was allowed despite the unambiguous exam entry requirements in SA-CAR 61.01.10 (2) (a). Furthermore, PPL exam credits obtained in this way were then regarded as satisfying the theoretical knowledge examination requirements of SA-CAR 62.02.3. Various Arguments in favour of this odd and unsanctioned practice have been advanced.

3.3. The PEL department has gained comprehensive legal input and is satisfied that the practice described is inconsistent with relevant regulatory provisions and their intent.

4. Termination of unlawful exam entry

4.1. In terms of the Civil Aviation Act, 2009, (Act No.13 of 2009), the SACAA is established as a stand-alone authority mandated with controlling, promoting, regulating, supporting, developing, enforcing and continuously improving levels of safety and security throughout the civil aviation industry.

4.2. The SACAA therefore has the vital responsibility to ensure the competence of aviation licence-holders.

4.3. It is stated explicitly that the SPL (Student Pilot License) and NPLC (National Pilot Learner Certificate) have neither the same meaning nor the same legal status and can therefore not be regarded as having identical privileges.

4.4. In the light of the SACAA's responsibilities, the PEL department has taken the following action:

- a. The unauthorized practice of allowing PPL exams to be written with an NPLC is terminated with immediate effect.
- b. No PPL exam credit for which entry was obtained with an NPLC on or after the date of this notice will henceforth be accepted.
- c. After 2021-06-30 PPL theoretical knowledge examinations that were entered for with an NPLC and written in lieu of those required by Part 62 will not be accepted.
- d. Where information becomes available that the competence of an NPL holder has been compromised by inadequate theoretical knowledge testing, this will be investigated and dealt with in accordance with SA-CAR 62.01.9 (Competency).

5. Transitory arrangement

5.1. The PEL department is aware that in some cases examinations may have been written in good faith and will make allowance for affected candidates in a balanced way. While safety is not negotiable, the transition process will be done in a just, reasonable and transparent manner.


5.2. In the interest of fairness, the following transitory arrangement is therefore published:

- a. Pilots that have already obtained their PPL based on examinations written while holding only an NPLC:
 - i. These candidates are unaffected by the action described above and the status quo is maintained in terms of their licence validity.
- b. NPL or NPLC holders that have successfully passed **all** PPL exams while holding only an NPLC
 - i. Such candidates may keep the PPL examination credits for the standard validity period of 36 months.
 - ii. The final theoretical knowledge examination must have been passed within the 36 months preceding the skills test for a PPL.
 - iii. Such pilots shall also successfully write the technical category examination required by Document SA-CATS 62.02.3, if not yet done. A grace period of 3 months will be given until 2021-06-30 to pass this examination.

- iv. If the technical category examination is not passed within the grace period, the candidate will be required to pass all theoretical knowledge examinations prescribed in Document SA-CATS 62.02.3.
 - v. The NPL application will be processed once the examinations mentioned in this paragraph have been passed.
- c. Pilots that have successfully passed **some** PPL exams while holding only an NPLC
- i. Such candidates must still pass all required Part 62 examinations.
 - ii. However, such applicants may keep the PPL examination credits that were obtained.
 - iii. These credits are subject to the standard requirement that the applicant must have passed all the theoretical knowledge examinations for a PPL within a period of 18 months of obtaining the first credit.
 - iv. The final theoretical knowledge examination must also have been passed within the 36 months preceding the skills test for a PPL.
 - v. To satisfy the legal requirement prescribed in SA-CAR 61.01.10, the remainder of the PPL examinations shall be entered for with an SPL.
 - vi. The NPL application will be processed once the examinations in this paragraph have been passed.

6. Opportunity for representation

- 6.1. Candidates that are detrimentally affected by any decision described in this General Notice are invited to make representation to Mrs. Neo Gouwe, Manager: Licensing at gouwene@caa.co.za
- 6.2. Such representation should be made no later than 2021-04-30.
- 6.3. The representation must clearly explain both how the candidate believes he or she is harmfully affected by the decision as well as the remedy sought.
- 6.4. Each representation will be considered and a response sent in writing by 2021-05-31.
- 6.5. General queries and comments may also be directed to Mrs. Gouwe.

Issued by the South African Civil Aviation Authority (SACAA)		
	JOHAN NIEMAND	31 March 2021
SENIOR MANAGER: PERSONNEL LICENSING	NAME IN BLOCK LETTERS	DATE