

PROPOSAL FOR THE AMENDMENT OF DOCUMENT SA-CATS 141 ISSUED UNDER THE CIVIL AVIATION TECHNICAL STANDARDS, 2011

PROPOSER

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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 technical standards. Words underlined with a solid line indicate insertions in the existing regulations.

1 PROPOSAL FOR AMENDMENT OF DOCUMENT SA-CATS 141

1.1 It is hereby proposed to amend Document SA-CATS 141 by --

(a) the substitution for Technical Standard 141.02.2 section 2 of the following section:

“2. Head of training

[(1) The individual responsible for the organisation's activities, policies, practices and procedures while ensuring the continued maintenance of the training organisation's approval status.]

[Note. — The head of training could be Accountable Manager/Executive; however, in complex corporate structures it may be possible that the accountable executive is

located at company headquarters and oversees the operation of several different ATOs or Air Operation]

[(2) The head of training shall have overall responsibility for ensuring satisfactory integration of flying training, flight simulation training and theoretical knowledge instruction and for supervising the progress of individual students. The Head of Training shall have had extensive experience in training as a flight instructor for professional pilot licences and possess a sound managerial capability.]

(1) A Head of Training shall be responsible for the management, coordination, and oversight of the organisation's training activities, including its training policies, practices, and procedures, and shall ensure that all training is conducted in accordance with the organisation's approved training programmes, within the scope of the ATO approval, and in compliance with applicable regulatory requirements.

(2) A Head of Training may also fulfil the role of Accountable Manager or Accountable Executive; however, in complex organisational structures, these functions may be separated, provided that clear lines of responsibility and accountability are established.

(3) A Head of Training shall have overall responsibility for –

- (a) The effective management, coordination, and delivery of all approved training;
- (b) Ensuring appropriate integration of training activities, including, where applicable, flight training, flight simulation training, and theoretical knowledge instruction; and
- (c) The supervision of student progress and training standards across the organisation.

(4) A Head of Training shall have the following experience:

- (a) Experience in the relevant training environment appropriate to the scope of training conducted; and

- (b) Managerial experience within an aviation organisation.
- (5) Where an ATO conducts flight training operations, a Head of Training shall have appropriate experience in flight instruction where he or she is directly involved in the conduct of flight training.
- (6) Where a Head of Training is not directly responsible for the conduct of flight training then a Chief Flight Instructor must be appointed.
- (7) Where an ATO conducts non-flight training only, including theoretical, technical, or classroom-based instruction, the appointed Head of Training shall have the relevant expertise and training experience appropriate to the predominant scope of training conducted.
- (8) Where an ATO conducts both flight and non-flight training, such an ATO may –
- (a) Appoint a single Head of Training who meets the requirements applicable to both training environments; or
 - (b) Appoint a separate Head of Training for flight and non-flight training, provided that the –
 - (i) Responsibilities of each Head of Training are clearly defined; and
 - (ii) Overall accountability for training is maintained within the organisational structure to the satisfaction of the Authority.”;

(b) the substitution for Technical Standard 141.02.4 section 4 of the following section:

“(1) The individual whose primary role has authority for ensuring quality system by monitoring activities in the field of training, that the standards as established by the ATO and any additional requirements of the Authority are being carried out properly and is the aggregate of all the organisation’s activities, plans, policies, processes, procedures, resources, incentives and infrastructure working in unison towards a total quality management approach.

(2) **[The] A** quality manager shall –

[(a)report directly to the head of training; and

(b) have unencumbered access to all parts of an ATO]

- (a) have unencumbered access to all parts of the ATO;
- (b) be independent from operational functions to ensure objective oversight of quality systems;
- (c) have direct access to the Accountable Manager and ensure that appropriate reporting mechanisms are in place to keep the Accountable Manager informed of all matters affecting the quality of training and compliance; and
- (d) ensure that quality-related findings, trends, and corrective actions are effectively communicated to relevant management levels within the organisation.

Note: When the head of training is not the accountable manager, reporting mechanisms shall be instituted to ensure that the accountable executive is aware of all issues impacting the quality of the training services being provided by the affected ATO.

(3) A Quality Manager shall, as a minimum **[, have] –**

(a) grade 12 school level or equivalent;

(b) certificate/s or diploma in quality management; and

(c) at least 5 years' experience in implementation and maintenance of quality management systems in the related field.]

- (a) hold a Grade 12 qualification or equivalent, or demonstrate competence acceptable to the Authority;
- (b) Possess the following qualifications and training:
 - (i) A recognised qualification or certificate in quality management or equivalent competency;
 - (ii) Quality management training provided by a Part 141 Aviation Training Organisation, and
 - (iii) Demonstrated experience in quality assurance and compliance monitoring, commensurate with the size, scope, and complexity of the ATO;

- (c) Where a quality manager is appointed from within the organisation, have completed a structured and documented competency development or succession programme, as defined within the ATO's quality system, to support the demonstration of competence referred to in paragraphs (a) and (b);
 - (d) A quality manager shall be appointed to ensure effective oversight, taking into account the number, size, scope, and complexity of the ATO for which such quality manager is responsible, to the satisfaction of the Authority.
- (11) Where an ATO appoints quality management personnel, the roles and responsibilities shall be clearly defined, including the following roles:
- (a) Quality Manager (QM): Responsible for the overall implementation, maintenance, and effectiveness of the Quality Management System, including oversight, compliance assurance, and reporting to the Accountable Manager;
 - (b) Quality Assurance Officer (QAO): Responsible for the coordination and administration of quality activities, including audit planning, tracking of findings, and support to the Quality Management System; and
 - (c) Quality Inspector or Auditor: Responsible for conducting inspections, audits, and verification of compliance, and reporting findings to the Quality Manager or Quality Assurance Officer.
- (12) The roles referred to in subsection 11 (a) to (c) may be combined and exercised by a single individual in smaller ATOs; provided that the distinct functions and responsibilities shall remain clearly defined.”;

(c) the substitution for Technical Standard 141.02.4 section 5 of the following section:

“5. Safety Manager

(1) An ATO shall identify an appropriate manager who, irrespective of other functions, shall have ultimate responsibility and accountability for the implementation and maintenance of the SMS.

(2) [A Safety Manager shall, as a minimum, have the following skills, qualifications, and experience –

- (a) full-time experience in aviation safety in the capacity of an aviation safety investigator, safety/quality manager or safety risk manager;**
- (b) sound knowledge of the organisation's operations, procedures, and activities;**
- (c) broad aviation technical knowledge;**
- (d) an extensive knowledge of SMS and have completed appropriate SMS training;**
- (e) an understanding of risk management principles and techniques to support the SMS;**

- (f) experience implementing and managing an SMS;
- (g) experience and qualifications in aviation accident/incident investigation and human factors;
- (h) experience and qualifications in conducting safety/quality audits and inspections;
- (i) sound knowledge of aviation regulatory frameworks, including ICAO Standards and Recommended Practices and relevant CAR;
- (j) the ability to communicate at all levels both inside and outside the company;
- (k) the ability to be firm in conviction, promote a just and fair culture and yet advance an open and nonpunitive atmosphere for reporting;
- (l) the ability and confidence to communicate directly to the accountable executive as an advisor and confidante;
- (m) well-developed communication skills and demonstrated interpersonal skills of a high order, with the ability to liaise with a variety of individuals and organisational representatives, including those from differing cultural backgrounds; and
- (n) Computer literacy and superior analytical skills.]

An Aviation Training Organisation (ATO) shall comply with the requirements of Part 140 in respect of the establishment, implementation, and maintenance of a Safety Management System (SMS).

(3) An ATO shall designate an appropriately qualified person who shall, irrespective of other functions, have responsibility for the implementation and maintenance of the SMS, in accordance with Part 140.

(d) the deletion of Technical Standard 141.02.4 section 6, as follows:

[6. The Safety Manager is responsible for the operator's SMS

- (1) The establishment and maintenance of a reporting system to ensure the timely collection of information related to potential hazards, incidents and accidents that may adversely affect safety.
- (2) The identification of latent hazards and carry out risk management analyses of those hazards.
- (3) The investigation, analysis, and identification of the root cause of all hazards or the contributing factors of incidents and accidents identified under the SMS to ensure the operator has adequate mitigation in place.
- (4) The establishment and maintenance of a safety data system, either by electronic or by other means, to monitor and analyse trends in hazards, incidents and accidents.
- (5) The maintenance of a continuous monitoring system that evaluates the results of corrective actions with respect to hazards, incidents, and accidents;

- (6) The monitoring of the concerns of the aviation industry in respect of safety and their perceived effect on an operator.**
- (7) The co-ordination of the organisation's aviation safety programme and all related safety matters.**
- (8) Co-operation with an ATO about safety training of personnel, as applicable.**
- (9) The supervision and coordination regarding matters related to safety in cooperation that relates to emergency facilities and equipment handling;**
- (10) the investigation of all incidents and accidents involving the organisation equipment and property, including
fire and emergency procedures;**
- (11) The actioning and distribution of accident, incident, and other occurrence reports;**
- (12) The co-ordination with security personnel to ensure a coordinated approach.**
- (13) The development and maintenance of a mandatory occurrence reporting scheme.**
- (14) The establishment of an emergency plan in the event of an accident, which includes the actions to be followed by relevant personnel.**
- (15) In concert with the person responsible for quality, the maintenance of a quality assurance programme within the organisation.**
- (16) The realisation of other duties which include –**
 - (a) promulgation of safety bulletins to all staff within the organisation;**
 - (b) conducting meetings with all relevant personnel regarding; safety matters;**
 - (c) maintenance of safety equipment;**
 - (d) safety audits; and**
 - (e) occupational health and safety.**
- (17) An organisation chart showing lines of responsibility of the personnel specified in regulation 141.02.4.**
- (18) Details of those locations where members or personnel of the organisation are to exercise functions or powers delegated by the Director.**
- (19) A summary of the resources at and the scope of training to be conducted at each location listed under subparagraph 3.**
- (20) Details of the organisation's procedure for recording which of its members and personnel hold authorisations granted by the organisation or delegations of the**

applicable Authority functions or powers, or both, including the extent and scope of those authorisations and delegations.

(21) Details of the procedures required by –

(a) regulation 141.02.4 regarding the competence of personnel; and

(b) regulation 141.02.3 regarding quality control of the organisation.]".

MOTIVATION

The proposed amendments to SACATS 141.02.4 are intended to improve clarity, consistency, and practical application of the Technical Standards, while aligning the provisions with the varying scope and nature of operations conducted under Part 141. A key driver for the amendment is the current requirement for the Head of Training to hold, or have held, a flight instructor pilot licence. This requirement does not adequately reflect the full range of Part 141 training activities, as many ATOs conduct non-flight training, including technical and cabin crew training, where piloting competencies are not applicable. The existing provision therefore creates ambiguity and restricts the appointment of otherwise suitably qualified individuals.

The proposed amendments remove prescriptive and restrictive provisions and introduce a clearer distinction of responsibilities between the Accountable Manager and the Head/s of Training. This ensures that accountability for the approval remains with the Accountable Manager, while the Head/s of Training is responsible for the management, coordination, and delivery of approved training programmes within the scope of the ATO approval. The amendments further address inconsistencies in the application of Quality Management requirements. The existing provision requiring the Quality Manager to report to the Head of Training has been removed, as it does not support the independence of the quality function.

The revised Technical Standard establishes that the Quality Manager shall have direct access to the Accountable Manager, ensuring appropriate escalation of quality-related matters and strengthening organisational oversight. In addition, supporting quality roles are defined to improve consistency in the implementation of Quality Management Systems. The removal of detailed Safety Manager provisions from Part 141 eliminates duplication with Part 140 and ensures that Safety Management Systems are governed within the appropriate regulatory framework. This also resolves inconsistencies relating to the interpretation and application of Human Factors, Crew Resource Management, and accident/incident investigation competencies. In addition, the revised provisions introduce a framework that allows for proportional application of requirements, including the combination of roles in smaller or less complex organisations, provided that system effectiveness is maintained.

Overall, the amendments aim to establish a clearer, more flexible, and coherent regulatory structure, improving consistency of interpretation while ensuring that compliance is assessed based on the effectiveness of organisational systems and the nature of operations, rather than prescriptive or misaligned requirements.