

PROPOSAL FOR THE AMENDMENT OF PART 135 OF 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 PART 135

1.1 It is hereby proposed to amend Part 135 by:

(a) the substitution for regulation 135.07.3 of the following regulation:

“135.07.3 [An Air operator] (1) An air service operator shall ensure that all personnel assigned to, or directly involved in ground and flight operations, are properly instructed, have demonstrated their abilities in their particular duties and are aware of their responsibilities and the relationship of such duties to the operation as a whole.

(2) An air service operator shall ensure that a flight operations officer or flight dispatcher in conjunction with the system of control and supervision of flight operations provided in regulation 135.07.1 shall:

- (a) assist a PIC in flight preparation and provide the relevant information;
- (b) assist a PIC in preparing the operational flight plan and ATS flight plans, sign when applicable and file the ATS flight plan to be filed with an appropriate ATSU;
- (c) when applicable, assist a PIC in preparing the preliminary flight plan, and submit it to a unit designated by the appropriate ATS authority;
- (d) sign, when applicable, and file the flight plan to a unit designated by the appropriate ATS authority;
- (e) furnish a PIC while in flight, by appropriate means, with information which may be necessary for the safe conduct of the flight; and
- (f) notify the appropriate ATSU when the position of an cannot be determined by an aircraft tracking capability and attempts to establish communication are unsuccessful”.”.

(b) the substitution of regulation 135.07.4 of the following regulation:

“135.07.4 (1) An air service operator shall ensure that air traffic services are used for all flights whenever available.

(2) Operational instructions involving a change in an ATS filed or current flight plan shall, when practicable, be coordinated with the appropriate ATSU before transmission to an aeroplane”.”

MOTIVATION

This amendment is recommended to propose amendments in the SACARs relating to ICAO Annex 6, Part I. This proposal seeks to address changes in the submitted flight plan requirements.

The amendment is contained in a State Letter, SL 2020.34.E amend 49- Adoption of Amendment 49 to Annex 6, Part I, dated 18 April 2024, received by the SACAA.