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SUPPLEMENT TO THE SWAZILAND GOVERNMENT GAZETTE

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LEGAL NOTICE NO. 68 OF 1985

THE AVIATION ACT, 1968

(Act No. 31 of 1968)

THE AVIATION (AMENDMENT) REGULATIONS, 1985

(Under section 21)

In exercise of the powers conferred by section 21 of the Aviation Act, 1968 the Minister for Works and Communications hereby makes the following Regulations—

Citation and commencement.

1. These Regulations may be cited as the Aviation Amendment Regulations, 1985, shall be read as one with the Aviation Regulations, 1969 (hereinafter referred to as “the principal Regulations”) and shall come into force on the 21st June, 1985.

Amendment of Regulations 2.

2. Regulation 2 of the principal Regulations is amended —

- (a) after the definition of “adjustable pitch propellor” by adding the following definitions —
 - ““aerodrome” means a defined area on land or water including a building, an installation and equipment intended to be used either wholly or in part for the arrival, departure and movement of aircraft”;
 - ““aerodrome control service” means air traffic control service for aerodrome traffic”;
- (b) after the definition of “aerodrome reference point” by adding the following definition —
 - ““aerodrome traffic” means all traffic on the manoeuvring area of an aerodrome and all aircraft flying in the vicinity of an aerodrome”;
- (c) after the definition of “aerodrome traffic zone” by adding the following definition —
 - ““aircraft” means any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth’s surface”;
- (d) after the definition of “airworthy” by adding the following definition —
 - ““approach control service” means air traffic control service for arriving or departing controlled flights”;
- (e) after the definition of “approach area” by adding the following definition —
 - ““area control service” means air traffic control service for controlled flights in controlled areas.”

Amendment of Regulation 10.

3. Regulation 10 of the principal Regulations is amended by adding the following after sub-regulation (2) —

- (3) The Director may appoint a personnel licencing authority to act on his behalf in carrying out the duties in sub-regulation (1).

Amendment of Part IV.

4. Part IX of the principal Regulations is amended —

- (a) in the heading by adding after the word “MEMBERS” the words “AND AIR TRAFFIC CONTROLLER”;
- (b) in Regulation 70(2) by adding the words “or air traffic controller” after the words “a flight-crew member”;
- (c) by replacing Regulation 74 with the following —

“74. The holder of a flight-crew member licence shall not fly or be scheduled to fly as the member of a crew for more than the time limits prescribed by Appendix I”.

- (d) in Regulation 75 by adding the words “air traffic controller;” after the words “flight radio telephony operator;”
- (e) in Regulation 76 by —

- (1) adding the words “12 months for an air traffic controller ” after the words “12 months for a flight radiotelephony operator;” and

- (2) replacing the proviso with the following —

“Provided that —

- (i) in the case of a private pilot, a private glider pilot or a tree balloon pilot who is 40 years of age or over, the medical certificate of fitness shall be effective for 12 months;
 - (ii) the medical examination may be undertaken within 21 days before the expiry date of the existing certificate and the new medical certificate shall be deemed to be valid with effect from the expiry date of the existing certificate”.
- (f) in Regulation 77 by adding the words “12 months for an air traffic controller” after the words “12 months for a night flight rating;” and replacing the colon after the word “rating” with a semi-colon.

- (g) by replacing Regulation 80 with the following —

“Instrument and night flight rating requirements

80. (1) No pilot other than the holder of a valid senior commercial or airline transport pilot licence shall pilot an aircraft under Instrument Flight Rules (IRF) unless he is the holder of a valid instrument and night flight rating.

(2) No student pilot or private pilot shall act as a pilot-in-command by night unless he is the holder of a valid night flight rating.”

- (h) by replacing Regulation 82 with the following —

“Air traffic control rating requirements

82. No air traffic controller shall exercise the privilege of aerodrome control, approach control or area control unless the appropriate rating is endorsed on his licence and valid in terms of Regulation 86, and Appendix B.4.”

- (i) in Regulation 83 —

- (i) in the heading by deleting the word “Pilot” before the word “licence”;
- (ii) by adding the following after subregulation (9) —

- “(10) Air traffic controller rating shall comprise —
- (a) aerodrome control;
 - (b) approach control; and
 - (c) area control.”
- (j) in Regulation 84 by adding the following after subregulation (10) —
- “(11) An air traffic controller who —
- (a) holds an aerodrome control rating may provide or supervise the provision of aerodrome control service for the aerodrome for which he is rated;
 - (b) holds an approach control rating may provide or supervise the provision of aerodrome control service for the aerodrome for which he is rated within the airspace designated by the appropriate authority as being under the jurisdiction of the unit providing approach control service, or within that specified portion of airspace for which he is rated;
 - (c) holds an area control rating may provide or supervise the provision of area control service within the control area for which he is rated or within that specified portion of the control area for which he is rated;
- if he has familiarised himself with all pertinent and current information.”
- (k) in Regulation 86 —
- (i) in subregulation (6) by adding the words “member or air traffic controller” after the words “flight crew”;
 - (ii) by adding the following after subregulation (6) —
- “(7) The air traffic control ratings enumerated in Regulation 84(11) shall become invalid when an air traffic controller ceases to exercise the privileges of the rating for a period of 6 months and the rating shall remain invalid until the controller’s ability to exercise the privileges of the rating has been re-established.”

Addition of new Appendix B.4.

5. The principal Regulations are amended after Appendix B.3 by adding Appendix B.4.

APPENDIX B.4

REQUIREMENTS FOR THE ISSUE AND RENEWAL OF AIR TRAFFIC CONTROLLER LICENCES, CERTIFICATES AND RATINGS

B.4.1. Air Traffic Controller Licence

- B.4.1.1. An applicant for an air traffic controller licence shall meet the following requirements in respect of age, knowledge, experience, skill and medical fitness and the requirements for at least one of the controller ratings set out in B.4.2.1., B.4.2.2. and B.4.2.3.

- B.4.1.1.1. Age. He shall be at least 21 years of age.

- B.4.1.1.2. Knowledge. He shall satisfy the Director as to his knowledge of:

- (a) the English language and his ability to speak the language without accent or impediment which would adversely affect radio communications;

- (b) the rules of the air as set out in the relevant portions of these regulations and I.C.A.O. publications;
- (c) the air traffic control practices and procedures as set out in relevant portions of these regulations and I.C.A.O. publications, with particular reference to those required under I.F.R.;
- (d) pertinent sections of these regulations and I.C.A.O. publications relating to communication facilities and procedures including radio-telephony phraseologies and procedures;
- (e) the principles of air navigation including the use of altimeters;
- (f) pertinent types of aids to air navigation including visual aids, their use and limitations;
- (g) synoptic charts, weather reports and forecasts to the extent required for an appreciation thereof;
- (h) the performance of aircraft of different types, in so far as it affects air traffic control operations; and
- (i) basics of radar equipments, their use and limitations.

B.4.1.1.3. Experience. He shall have:

- (a) recently completed not less than 12 months' satisfactory service as pilot or flight navigator; or
- (b) completed not less than nine month's satisfactory service engaged in actual control of air traffic under the supervision of an appropriately rated air traffic controller; or
- (c) satisfactorily completed an approved training course and not less than three months satisfactory service engaged in the actual control of air traffic under the supervision of an appropriately rated air traffic controller.

B.4.1.1.4. Medical fitness. The applicant shall have established his medical fitness on the basis of compliance with the following medical requirements;

Physical and mental requirement	No. 4
Visual requirement	No. 1
Colour perception requirement	No. 1
Hearing requirement	No. 1

B.4.2. Air Traffic Controller Ratings.

Air Traffic Controller Ratings shall comprise aerodrome control, approach control and area control, the requirements for the issue of which are set out in B.4.2.1., B.4.2.2. and B.4.2.3. respectively and the privileges of which are set out in regulation 84(11).

B.4.2.1. Requirements for aerodrome control rating. An applicant for an aerodrome control rating shall satisfy the Director as to his knowledge, experience and skill of the following subjects in respect of the aerodrome for which the rating is sought.

B.4.2.1.1. Knowledge. He shall satisfy the Director as to his knowledge of:

- (a) local aerodrome rules;
- (b) air navigation facilities within a circular area of a radius of 25 nautical miles, measured from the centre of the aerodrome;

- (c) identifying abbreviations and other pertinent data regarding meteorological reports and of significant local weather characteristics, on and around the aerodrome;
- (d) characteristics of local air traffic;
- (e) co-ordination procedures between the aerodrome control unit and the various air traffic services units, as appropriate;
- (f) local terrain and prominent landmarks;
- (g) local procedures for the making and use of runway visual range observations, as appropriate;
- (h) local procedures for alerting of the various emergency services.

B.4.2.1.2 Experience. He shall have:

- (a) satisfactorily completed an approved training course, and have served satisfactorily under a rated aerodrome controller for not less than one month within the 12 month period immediately preceding application; or
- (b) in the case where no approved training course is undertaken, the period of service under a rated aerodrome controller shall not be less than six months within the 12 month period immediately preceding application; or
- (c) in the case of applicants already holding an air traffic controller licence with an approach or area control rating entered thereon the period of service under a rated aerodrome controller shall not be less than one month.

B.4.2.1.3. Skill. He shall have demonstrated his ability to perform those functions applicable to the privileges to be granted.

B.4.2.2. Requirements for approach control rating. An applicant for an approach control rating shall satisfy the Director as to his knowledge, experience and skill of the following subjects in respect of the aerodrome or aerodromes for which the rating is sought.

B.4.2.2.1 Knowledge. He shall satisfy the Director as to his knowledge of:

- (a) local aerodrome approach and control zone rules;
- (b) air navigation facilities within and adjacent to his area of responsibility;
- (c) identifying abbreviations and other pertinent data regarding meteorological reports and of effects of significant weather characteristics, likely to affect his area of responsibility;
- (d) characteristics of local air traffic;
- (e) electronic aids to air traffic control;
- (f) co-ordination procedures between the approach control unit and the various air traffic services units, as appropriate;
- (g) terrain and prominent landmarks;
- (h) local procedures for the making and use of runway visual range observations, as appropriate;
- (i) search and rescue procedures and pertinent facilities;
- (j) local procedures for alerting of the various emergency services;
- (k) instrument holding, approach, missed approach and departure procedures.

B.4.2.2.2. Experience. He shall have:

- (a) satisfactorily completed an approved training course, and have satisfactorily served under a rated approach controller for not less than three months within the 12 month period immediately preceding application; or
- (b) in the case where no approved training course is undertaken the period of service under a rated approach controller shall not be less than six months within the 12 month period immediately preceding application; or
- (c) in the case where the applicant is already holding an air traffic controller licence with an aerodrome or area control rating entered thereon the period of service under a rated approach controller shall not be less than two months.

B.4.2.2.3 Skill. He shall have demonstrated his ability to perform those functions applicable to the privileges to be granted.

B.4.2.3 Requirements for area control rating. An applicant for an area control rating shall satisfy the Director as to his knowledge, experience and skill of the following subjects in respect of the control area for which the rating is sought.

B.4.2.3.1 Knowledge. He shall satisfy the Director as to his knowledge of:

- (a) air navigation facilities within and adjacent to the control area;
- (b) sources of meteorological information and of effects of significant weather characteristics likely to affect his area of responsibility;
- (c) aerodrome and air traffic conditions;
- (d) co-ordination procedures between the area control centre and other relevant air traffic services units;
- (e) pertinent data regarding radio communication facilities including frequencies and procedures;
- (f) terrain and prominent landmarks;
- (g) search and rescue procedures and pertinent facilities;
- (h) appropriate instrument holding, approach, missed approach and departure procedures.

B.4.2.3.2 Experience. He shall have:

- (a) satisfactorily completed an approved training course, and have satisfactorily served under a rated area controller for not less than three months within the 12 month period immediately preceding application; or
- (b) in the case where no approved training course is undertaken the period of service under a rated area controller shall not be less than six months within the 12 month period immediately preceding application; or
- (c) in the case where the applicant is already holding an air traffic controller licence with an aerodrome or approach control rating entered thereon the period of service under a rated area controller shall not be less than two months.

B.4.2.3.3 Skill. He shall have demonstrated his ability to perform those functions applicable to the privileges to be granted.

G.M. MABILA
Principal Secretary

MBABANE,
10th May, 1985.