

	REPUBLIC OF SOUTH AFRICA CIVIL AVIATION AUTHORITY	SACAA Private Bag X 73 Halfway House 1685
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GENERAL AVIATION AND AVIATION RECREATION ACTIVITIES WITH AIRCRAFT AND DEVICES RELATING TO, AMONG OTHERS SPEEDWING, MINI-WING AND PARACHUTE AND PARA-GLIDING FLIGHTS

1. Background

It has come to the attention of the South African Civil Aviation Authority (SACAA) that there are flight activities encompassing general aviation operations and aviation recreational activities, being carried out in South African airspace by persons using equipment that fall within the definition of an aircraft, as listed in paragraph 2.2 (a) to (e) below, under the guise of “Speed Wing Flying” or “Speed Flying” or “Base jumping”, and which activities may not be complying with the South African Civil Aviation Regulations 2011 (SACAR). These activities must be conducted in terms of recognised forms of pilot training, licensing, approval, and oversight by the SACAA. Consequently, any such activities which do not conform to minimum standards adopted in ensuring safety and security may result in accidents and serious incidents, and are also subject to the enforcement duties and processes of the SACAA.

The SACAA, in line with its mandate to control, regulate and promote civil aviation safety and security, hereby issues this general notice to raise awareness of the applicable requirements for conducting civil aviation activities in South Africa. This is geared at ensuring that all activities carried out in the South African airspace are done in a manner that is consistent with the applicable provisions of the Regulations and do not pose a threat to the safety to people or property.

2. Applicability

2.1 This notice, issued in terms of Part 11.01.3(1) of the Regulations, applies to all persons:

- conducting any flight(s) with an aircraft in South African airspace, falling within the ambit of the SACAR, without a valid license issued by the SACAA;
- engaged in activities that encompass the use of a paraglider, mini wing, speed wing, parachute for a parachute descent or performing base jumps in the South African airspace, which falls within the ambit of the SACAR, without a valid license for the said activity and with no approval from the SACAA.

2.2 The activities referred to above are categorised as follows:

- (a) “Speed Wing” or
- (b) “Mini Wing” or
- (c) “Para Glider” or
- (d) “Parachute” or
- (e) “Base jump canopy”

2.3 This notice does not apply to flight operations and activities conducted by persons who:

- have been issued with a valid South African National Pilots License;
- hold a current membership of an approved Aviation Recreation Organisation (ARO), with the requisite approval from the SACAA to carry out the said activities; or
- are students undergoing aviation training instruction under the auspices of an approved Aviation Training Organisation (ATO).

3. Definitions

(a) Aircraft

SACAR Part 1 Definition: “**aircraft**” means an aircraft as defined in the Act.

Section 1 of the Civil Aviation Act, 2009 (Act No. 13 of 2009): “**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 surface of the earth;

(b) Machine

Dictionary Definition: “machine” means an apparatus consisting of interrelated parts with separate functions, used in the performance of some kind of work:

(c) Base Jumps

SACAR Part 1 Definition: “**base jumps**” means a parachute descent from an object other than an aircraft

(d) General Aviation.

SACAR Part 1 Definition: “**General Aviation Operation**” means an aircraft operation other than a commercial air transport, air ambulance or aerial work operation;

(e) Recreation Aviation.

SACAR Part 1 Definition: “**Aviation Recreation**” means flying microlight, glider, balloon, gyroplane, hang-glider, paraglider, model aircraft, light sport aeroplane, touring motor glider, parachute or involvement in aviation events;

(f) Parachute

SACAR Part 1 Definition: “**parachute**” means any device comprising a flexible drag, or drag and lift, surface from which a load is suspended by shroud lines capable of controlled deployment from a packed condition;

(g) Parachute Descent

SACAR Part 1 Definition: “**parachute descent**” means any descent made from an aircraft by a person with the prior intention of deploying a parachute;

(h) Paraglider

SACAR Part 1 Definition: **Paraglider** means a non-power-driven, heavier-than-air aircraft without a rigid primary structure, comprising a flexible drag, or drag and ram-air type lift surface, from which the pilot and passengers are suspended by shroud lines, which is foot-launched, and of which the descent is partly

controlled by the pilot by means of two steering lines, and which for the purposes of parts 24, 94 and 96 includes a paratrike and a powered paraglider;

4. Operational Requirements

This General Notice serves to inform all persons conducting any of the activities listed in paragraph 2.1 and 2.2 above that they are required to comply with the requirements set out in the SACAR for conducting the said activities in the South African airspace.

These requirements include the following:

- a) successful completion of the applicable flight training with an approved Aviation Training Organisation (ATO), with a valid ATO certificate issued by the SACAA in terms of Part 141 of the SACAR's;
- b) issuance of a valid National Pilots License for the said activities issued by the SACAA in terms of Part 62 of the SACAR's;
- c) current membership of an applicable ARO in terms of Part 94 and or Part 105; and
- d) adherence to the provisions of the SACAR that are applicable for the said activities, including any applicable procedures.

Any person conducting the activities listed in paragraph 2.1 and 2.2 above, without meeting the requirements applicable to such activities should immediately refrain from participating in such activities, as such conduct:

- results in unmitigated risk of danger and serious injury resulting, not only to participants but to innocent bystanders;
- constitutes serious contravention of the requirements prescribed in the South African Civil Aviation Regulations.

Any person seeking to conduct any of the activities listed in paragraph 2.1 and 2.2 above is required to comply with the provisions contained in the South African Civil Aviation Regulations, 2011, prior to conducting such activities.

Interested persons can contact the SACAA for further information on the applicable requirements and regulations related to general aviation and aviation recreation and the respective approved ARO's for aviation recreation in South Africa:

5. Compliance with the Civil Aviation Regulations 2011

The SACAA has the responsibility to monitor compliance in civil aviation activities carried out in South Africa. This extends to the monitoring and enforcement of compliance with the respective Act's and Civil Aviation Regulation's.

Non-compliance to the Civil Aviation Regulations, 2011 have the following consequences:

- i. 185.01.1(1) Any person who commits an offence, or contravenes these Regulations, may be subjected to administrative or criminal action in terms of this Part.
- ii. 185.01.2 A person commits an offence if that person—
 - (a) hinders or obstructs an authorised officer, inspector or authorised person in the exercise of his or her powers or the performance of his or her duties;

iii. (m) contravenes any provision of the [Civil Aviation] Act and these Regulations.

5. Regulatory References

Any person wishing to operate an aircraft which shall include a paraglider, mini-wing or speed-wing, shall adhere to the regulations below.

(1) SA-CAR 62.01.1 (1) This part applies to—

(a) the issuing of pilot licences and ratings for South African national pilots, the privileges and limitations of such licences and ratings, and matters related thereto; and

(2) SA-CAR 62.01.2 Authority to Act as Pilot

(1) No person shall act as the pilot of an aircraft whilst in or over any part of the republic or the territorial waters thereof unless such person-

(a) holds a valid appropriate pilot license and rating issued in terms of this part or part 61; or

(2) The holder of a national pilot license shall not exercise any privileges other than the privileges granted by the appropriate license and rating or validation held by such holder.

(3) SA-CAR 62.01.5 (e) The category ratings comprise —

(e) paragliders, including powered paragliders and powered paratrikes.

(4) SA-CAR 91.01.1 (1) Subject to the provisions of sub-regulation (2), this Part applies to –

(a) aircraft operated within the Republic.

2) Additional rules to, and exemptions from, the provisions of this Part, are prescribed, in respect of –

(c) operation of non-type certificated aircraft, in Part 94;

(d) commercial operation of non-type certificated aircraft, in Part 96;

(e) parachuting operations, in [Part 105](#);

(5) SA-CAR 91.06.32 Minimum heights

(1) Except when necessary for taking off, or landing, or except with prior written approval of the Director, no aircraft –

(a) shall be flown over congested areas or over an open-air assembly of persons at a height less than 1000 feet above the highest obstacle, within a radius of 2 000 feet from the aircraft;

(b) when flown elsewhere than specified in paragraph (a), shall be flown at a height less than 500 feet above the ground or water, unless the flight can be made without hazard or nuisance to persons or property on the ground or water and the PIC operates at a height and in a manner that allows safe operation in the event of an engine failure; and

(c) shall circle over or do repeated overflights over an open-air assembly of persons at a height less than 3 000 feet above the surface.

(6) SA-CAR 94.06.1 (2) Any person operating a non-type certificated aircraft for aviation recreational purposes shall be a bona fide member of an applicable aviation recreation organisation designated by the Director in terms of part 149 and abide by its constitution and code of conduct, if any.

(7) SA- CAR 94.06.2 (1) (f) regulation 91.07.2, the PIC of a paraglider may fly the paraglider below 500 feet AGL for the purpose of ridge soaring if such paraglider is flown in a manner that does not endanger persons or property on the ground.

(g) regulations in Part 139 as well as ENR 5.5 contains the detail of the areas where the pilot in-command of a paraglider may launch the paraglider: Provided permission has been obtained from the owner of the site or the


local authority having jurisdiction; and provided further that in the case of flight training or tandem operations, only launch sites approved by the Director may be used.

(8) SA-CAR 94.06.2 (2) Each person on board a paraglider shall wear a serviceable, rigid, protective helmet of a type approved by the Director or by the organisation designated for the purpose in terms of part 149.

(9) SA- CAR 94.06.2 (5) (a) No person may operate a paraglider with a passenger, unless that person holds a valid tandem rating.

(b) Tandem operations shall be limited to two persons, including the pilot.

(c) For tandem operations the carriage of a back-up parachute is compulsory.

Issued by the South African Civil Aviation Authority (SACAA)		
	Neil de Lange	19 March 2021
For THE DIRECTOR OF CIVIL AVIATION	NAME IN BLOCK LETTERS	DATE