

	REPUBLIC OF SOUTH AFRICA CIVIL AVIATION AUTHORITY	SACAA Private Bag X 73 Halfway House 1685
Tel: (011) 545-1323 E-Mail: niemandj@caa.co.za	GENERAL NOTICE # PEL-2022/001 Revision 1	Dated: 14 March 2022

RECOGNITION OF EXPERIENCE OBTAINED IN THE SOUTH AFRICAN AIR FORCE

1. Applicability

- 1.1. This Personnel Licensing (PEL) General Notice is applicable to:
- a. Current South African Air Force (SAAF) pilots that intend to apply for recognition of their military experience towards a Part 61 (i.e. civilian) licence or rating;
 - b. Current SAAF pilots have already obtained a Part 61 licence or rating based on the recognition of their military experience;
 - c. Aviation Training Organizations (ATOs) involved in the training of military towards a Part 61 licence or rating;
 - d. Flight examiners responsible for the testing of military pilots towards a Part 61 licence or rating
- 1.2 This General Notice is valid from 2022-03-14 until withdrawn or superseded by an amendment.

2. Purpose of this General Notice

- 2.1 This General Notice explains the PEL department's position regarding the issue, revalidation or maintenance of a Part 61 licence or rating using:
- a. military experience and flight time obtained in the SAAF,
 - b. aircraft belonging to the South African National Defence Force and
 - c. airports, heliports or helistops belonging to the South African National Defence Force.
- 2.2 The notice also addresses instances where current or former SAAF pilots undergo skills tests towards a Part 61 licence without having received formal recognition.
- 2.3 This General Notice also gives guidance on the administration of licence applications affected by these practices.
- 2.4 In this notice the terms accreditation and recognition are used interchangeably.

3. Background

- 3.1 For pilots, the transition from a military flight crew qualification to a civilian pilot licence can be a laborious and costly matter. Similarly, managing the regulatory aspect in a responsible and user-friendly manner is complex and time-intensive. Since 2020 the SACAA PEL department has consequently been reviewing the way it administers applications for military accreditation
- 3.2 This review is ongoing and intended to compare the SACAA's current processes with general international practice, ensure compliance with legislation, simplify administration, provide meaningful guidance and ultimately make the application process more transparent and efficient.
- 3.3. The above-mentioned review process includes a closer scrutiny of applications, the sampling of historic accreditations, clearer communication with applicants, improved internal training and increased inter-section cooperation.
- 3.4 Sadly, during this review process the PEL department has become aware of irregularities relating to the use of SAAF and foreign military flight time in applications for Part 61 pilot licences or ratings.
- 3.5 Several isolated, but highly concerning actions by industry members have been identified. These concerns entail, inter alia, the following:
 - a. applicants enrolling for examinations or undergoing skills tests without having obtained formal accreditation from the SACAA;
 - b. examiners conducting incomplete skills tests or arbitrarily waiving mandatory elements of skills tests (for example the navigation component);
 - c. initial skills tests conducted outside of an ATO and on military aircraft;
 - d. revalidation checks conducted at SAAF military bases and on military aircraft;
 - e. current SAAF pilots using flight time obtained on military aircraft to meet the recency requirements to act as civilian PIC; and
 - f. current SAAF pilots using flight time obtained on military aircraft to meet the minimum annual flying hour requirements for the maintenance of a Part 61 licence or rating.
- 3.6 This has necessitated the publication of a clear, transparent and fair policy in dealing with be any irregular applications for the accreditation of SAAF experience.

4. Legal provisions regarding the crediting of military experience and the use of military aircraft

- 4.1 The industry is reminded that the Convention on International Civil Aviation (Chicago convention) applies to civilian aircraft only. This restriction is transposed into the Civil Aviation Act, 2009, (Act No.13 of 2009).
- 4.2 This means that the Civil Aviation Act and the Civil Aviation Regulations, 2011, do not apply to, inter alia, the following:
 - a. an aircraft belonging to the South African National Defence Force;
 - b. airports, heliports or helistops belonging to the South African National Defence Force.
- 4.3 The International Civil Aviation Organization (ICAO) makes allowance for the formal recognition of military experience towards a civilian licence. The valuable experience of military pilots is acknowledged and, for this reason, Part 61 of the Civil Aviation Regulations,

2011, makes provision for the recognition of military experience. These requirements are contained in SA-CAR 61.01.9 (23) and (24) and associated Technical Standard (s).

4.4 Without formal recognition military experience may not be used towards any of the flight time requirements towards a Part 61 licence, as indicated in the following legal provision:

- *SA-CAR 61.01.9 Crediting of flight time and theoretical knowledge*
(2) *A person acting as pilot of an aircraft while not complying with any requirement of this Part applicable to that person may not credit that flight time for any purpose.*

5. Responsibility of the SACAA

5.1 In the light of the above-mentioned legal provisions, the PEL department advises that Part 61 licence applications utilizing any form of military flight crew experience are dealt with as follows:

- a. no application for the issue of a Part 61 licence based on non-accredited military experience will be processed;
- b. incomplete skills tests will not be accepted;
- c. skills tests conducted on military aircraft or not under the auspices of an ATO will not be processed;
- d. revalidation checks conducted on military aircraft will not be processed;
- e. military flight time will not be accepted towards the recency and annual flight time requirements of a Part 61 licence;
- f. for accreditation purposes, South African-registered aircraft are not deemed to be military aircraft.

5.2 Applicants should be aware that to revalidate a pilot licence issued in terms of the Regulations, the applicant must comply with the revalidation requirements relating to the type of licence. Amongst other things, this means that the flight time and other operational prerequisites towards recency and annual licence maintenance of competency must be complied with on civilian-registered aircraft. Military experience may not be credited towards these legal requirements.

6. Review process and the investigation of irregularities

6.1 New applications will be thoroughly vetted for compliance with legal requirements.

6.2 The PEL department will not conduct a blanket review of all historic applications for military accreditation. However, a random sampling process will be followed in respect of historic licence applications. Where duties naturally require the investigation of past applications, this will be done.

6.3 Such investigations may extend to all parties involved, including flight examiners, flight instructors, ATOs, AOC holders and candidates.

6.4 Candidates and examiners should note that contraventions of the Regulations and associated Technical Standards related to military accreditation, training and testing may result in enforcement action in terms of Part 185. Criminal investigation may also result where fraudulent details have been entered on application documents.

6.5 In the interests of transparency and fair administration, enforcement action will not be initiated against military applicants who historically submitted non-compliant or irregular applications in good faith or who merely benefitted from internal administrative lapses. This leniency

excludes cases where serious irregularities, dishonesty, forgery, fraud or a blatant disregard of legal requirements are apparent.

- 6.6 However, in cases where examiners exercise their testing privileges, they are acting on behalf of the SACAA. The involvement of Examiners in irregular or non-compliant applications warrants a more in-depth analysis and will be investigated.
- 6.7 Where incorrectly allocated licensing privileges are detected, these will be dealt with on a case-by-case basis. A reasonable and transparent process will be followed when correcting such deviations. Interventions may include remedial measures to address standards deficiencies, the correction of unwarranted or inappropriate licences, ratings and aircraft types.

7. Former or inactive SAAF pilots

- 7.1 It is a legal requirement that applicants for the recognition of SAAF experience towards a Part 61 licence or rating both serve at a squadron or unit and have current active flying status at the time of application.
- 7.2 Former SAAF pilots are therefore advised to contact the PEL department for guidance in this regard.

8. Aeronautical Information Circular (AIC)

- 8.1 An AIC providing selective general guidance regarding the accreditation is scheduled for publication on 24 March 2022.

9. Opportunity for comments

- 9.1 The PEL department welcomes constructive and factual input from the industry in this regard.
- 9.2 Such feedback or comments may be directed to Theo Odendaal at the following address:
- odendaalt@caa.co.za

Issued by the South African Civil Aviation Authority (SACAA)		
	JOHAN NIEMAND	14 MARCH 2022
SENIOR MANAGER: PERSONNEL LICENSING	NAME IN BLOCK LETTERS	DATE