

Zimbabwe

Civil Aviation Act

Civil Aviation (Guidance for Air Travel through the COVID-19 Public Health Crisis) Regulations, 2020

Statutory Instrument 209 of 2020

Legislation as at 11 September 2020

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Civil Aviation (Guidance for Air Travel through the COVID-19 Public Health Crisis) Regulations, 2020
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Zimbabwe

Civil Aviation Act

Civil Aviation (Guidance for Air Travel through the COVID-19 Public Health Crisis) Regulations, 2020 Statutory Instrument 209 of 2020

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IT is hereby notified that the Minister of Transport and Infrastructural Development, after consultation with the Board, has, in terms of section 79 of the Civil Aviation Act [Chapter 13:16], made the following regulations: —

1. Title

These regulations may be cited as the Civil Aviation (Guidance for Air Travel through the COVID-19 Public Health Crisis) Regulations, 2020.

2.

Every operator shall abide by the Schedule.

3.

These regulations complement any other regulations issued in terms of the Public Health Act [Chapter 15:17] but in case of conflict the regulations issued in terms of the Public Health Act [Chapter 15:17] prevail.

Schedule (Section 2)

Guidance for air travel through the COVID-19 public health crisis

1. Interpretation

In this guidance, unless the context requires otherwise—

"**authority**" means the Civil Aviation Authority of Zimbabwe established in terms of section 4 of the Civil Aviation Act;

"**coronavirus disease (COVID-19)**" means illness caused by a novel coronavirus called severe acute respiratory syndrome coronavirus;

"**disinfect**" means to cleanse so as to destroy or prevent the growth of disease-carrying microorganisms;

"**e-learning**" means the acquisition of knowledge which takes place through electronic technologies and media;

"**Operator**" means an Air Operator Certificate (AOC) holder, Aviation Training Organisation (ATO) Certificate holder, Aviation Maintenance Organisation (AMO) Certificate holder, Airport Operator, Air Navigation Service Provider (ANSP), Ground Handling Service Provider, Aviation Catering Organisations and Aviation Fuel dispensers;

"**COVID-19 Pandemic**" means the global health crisis caused by corona virus;

"**quarantine**" means a strict isolation imposed to prevent the spread of disease;

"**social distance**" means keeping space between yourself and other people;

"**sanitiser**" means an alcohol based liquid for washing hands;

"**window of circadian low (WCL)**" means the period between 0200 hours and 0559 hours in the time zone to which a crew member is acclimatised.

3. Health screening measures

- (1) An Operator shall develop and implement non-intrusive health screening measures that includes thermal scanners, handheld infrared thermometers, ear gun thermometers or full-body infrared scanners for both passengers and staff.
- (2) These health screening measures specified in subsection (1) shall be—
 - (a) approved by the Ministry of Health and Child Care; and
 - (b) adhered to by all crews, passengers and airport staff.
- (3) An operator shall —
 - (a) define clear responsibilities and accountabilities when implementing health screening measures; and
 - (b) use only qualified personnel to implement these health screening measures.

4. Health declaration and passenger health processing

- (1) Where a physical health declaration form is a requirement for passengers each operator shall ensure that the forms are distributed on-board flights prior to landing.
- (2) An Airport Operator shall —
 - (a) provide dedicated health counters as required to allow for the checking of the forms and interviewing of passengers;
 - (b) in coordination with the health authority, dedicate specific and suitable rooms to serve as temporary waiting and quarantine areas; and
 - (c) identify segregated exit paths out of the terminal for use by suspected passengers without possibility of mixing with others.

5. Staff protection

An Operator shall protect its staff in the best possible way by at least implementing the following—

- (a) providing staff with appropriate protective equipment such as masks and gloves;
- (b) installing protective measures such as transparent protective shields between staff and customers at counters;
- (c) regularly sanitise all workplaces and workstations;
- (d) educate staff on how to—
 - (i) handle, wear and clean masks; and
 - (ii) properly disinfect hands;
- (e) take staff temperature on a daily basis;
- (f) carry out periodic health screening for all staff;

- (g) provide adequate sanitising stations for staff;
- (h) adjust workspaces, offices, meeting rooms, staff transport and mess rooms, where required, to comply with the Ministry of Health and Child Care physical distancing guidelines;
- (i) create a system to manage visitors to offices, like limiting numbers, in order to reinforce physical distancing protocols;
- (j) avoid stigmatisation of infected staff or those returning to work after recovering from COVID-19;
- (k) review staff rosters, as required, so that different teams can be deployed at different work schedules;
- (l) post signs for bathrooms and kitchens and any other common areas to indicate the limit of the maximum number of people occupying the space at any given time;
- (m) conduct daily briefings –
 - (i) in open areas; or
 - (ii) by video conferences;
- (n) provide adequate sanitary wipes to wipe down "high touch" surfaces at work places;
- (o) disinfect equipment such as common IT equipment and printers, that is shared or touched by more than one staff member after each use.

6. Personal protective measures

- (1) All passengers and staff accessing the terminal shall wear a facemask or cover their mouth and nose with appropriate means.
- (2) An Operator shall ensure that a minimum of one and a half meters is maintained between passengers in queuing lines, at—
 - (a) all passenger processing nodes;
 - (b) passenger buses;
 - (c) passenger seating areas;
 - (d) airport lounges;
 - (f) banks;
 - (g) airline ticketing office; and
 - (h) any other such place.
- (3) This spacing referred to in subsection (2) shall be demarcated with appropriate—
 - (a) queue poles and signage;
 - (b) floor markings;
 - (c) no-seating spots;
 - (d) removing seats where required; or
 - (e) any other applicable means.

7. Caring of staff

- (1) An Operator shall be responsible for—
 - (a) caring for the wellness and mental health of own staff;

- (b) keeping close contact with staff by keeping an updated database of all employees;
 - (c) identifying vulnerable staff and take appropriate action, in the best interest of their health;
 - (d) providing medical emergency numbers to staff through notice boards;
 - (e) educating and briefing staff on—
 - (i) COVID-19 symptoms; and
 - (ii) testing and quarantine procedures.
- (2) An Operator shall ensure that employees are encouraged to—
- (a) avoid face-to-face conversation by maximising use of mobile phones and radio telephones;
 - (b) where possible, to leave office and mess doors open to avoid contact with door handles.

8. Fingerprint access control

- (1) An Operator shall install sanitiser stations at all points where fingerprint access control is required.
- (2) Any person who uses fingerprint access control shall sanitise both his or her hands and the control panel before and after use of such a panel.

9. Continuity of work

An Operator shall, in the interest of de-congesting workplaces, ensure that only minimum staff complement is available to carry out its business.

10. Cleaning and disinfection

An Operator shall —

- (a) define and implement frequency of cleaning and disinfection of all hand contact areas like—
 - (i) self-service kiosks;
 - (ii) counters;
 - (iii) baggage trolleys;
 - (iv) lifts, travellers;
 - (v) escalators;
 - (vi) handrails;
 - (vii) vehicles;
 - (viii) scanners;
 - (ix) shared mobile phones or radio telephones;
 - (x) tables;
 - (xi) knobs;
 - (xii) light switches;
 - (xiii) wheelchair handles;
 - (xiv) workstations;
 - (xv) cash registers;

- (xvi) touch screens;
- (xvii) countertops; or
- (xviii) any other such place;
- (b) immediately disinfect a surface that has been contaminated with respiratory secretions or other body fluids;
- (c) during the closure of the airport or operators facilities, proceed with the deep cleaning of areas which otherwise may be inaccessible under normal circumstances;
- (d) install, mechanical foot pedal or touchless hand-sanitising stations at strategic locations inside the terminal or workplaces like—
 - (i) check-in counters;
 - (ii) passport control centres;
 - (iii) security screening;
 - (iv) boarding gates;
 - (v) customs;
 - (vi) ticket sales;
 - (vii) public office entrances;
 - (viii) walkways;
 - (ix) lounges; and
 - (x) any other such place;
- (e) put disinfectant carpet in areas, entrances and walkways where most passengers pass through;
- (f) increase the frequency of waste disposal to avoid accumulation of used masks, gloves and other contaminated waste in garbage bins and containers;
- (g) disinfect all baggage and cargo on departures and arrivals.

11. Access control

An Airport Operator shall —

- (a) reduce number of access control points to the terminal;
- (b) restrict access of meeters and greeters into the terminal;
- (c) close all public viewing galleries;
- (d) control number of passengers accessing the check-in hall to ensure physical distancing;
- (e) manage the maximum number of passengers in any given terminal zone like check-in, immigration, security, boarding, shops and lounges to ensure distancing measures;
- (f) where supported by existing infrastructure, implement segregation of passengers, staff and/or crew to minimise contact;
- (g) adopt forward movement rule without possibility of backtracking for passengers; and
- (h) close certain high-risk airport areas and facilities or those not vital for the airport operations, such as smoking rooms, kids play areas, prayer rooms, massage chairs, water fountains and other multi-purpose areas.

12. Terminal building capacity

An Airport Operator shall –

- (a) recalculate the terminal capacity in the light of the measures such as physical distancing, one-way traffic lanes and access control, bearing in mind that a one and a half metre physical distance means an occupancy area of 2.25 square metres per passenger;
- (b) reschedule flights to comply with new terminal capacity and peak hour passenger flow; and
- (c) if required, review the arrival time of passengers at the airport prior to departure from 3 to 4 hours to comply with the airport calculated capacity levels.

13. Passenger facilitation

(1) An Airport operator shall –

- (a) make available the maximum number of check-in counters, immigration counters, health counters, and customs counters; and
 - (b) assign every alternate boarding gate for embarkation of flights to allow for physical distancing during simultaneous boarding.
- (2) Any operator utilising service points stipulated in subsection (1) shall make use of the maximum number of such points to avoid overcrowding.

14. Airside operations

An Operator shall –

- (a) where practical and safe, favour on-foot boarding rather than bussing;
- (b) reinforce wildlife hazard tracking on the airside if the reduction in aircraft movements have rendered airside environment less unsafe for birds and other wildlife; and
- (c) carry out a safety risk assessment as per its SMS prior to restart of operations.

15. Commercial activities

An Airport Operator shall –

- (a) apply same airport measures for cleaning, disinfection, hygiene, personal protection, physical distancing at all concessionaires at the airport;
- (b) monitor implementation of measures specified in (a) to ensure strict compliance;
- (c) ensure that duty free and retail shops staff handles items instead of passengers to avoid contamination;
- (d) ensure that restaurants serve individual portions rather than providing common-use serving utensils for self-service of food; and
- (e) adopt cashless transactions in all shopping and eating places, as far as possible.

16. Air carrier requirements

(1) All passenger carrying operators shall –

- (a) ensure that all passengers wear masks all the time except when eating;
- (b) control and limit passenger movement in the aircraft;
- (c) adopt and maintain one way direction movement when boarding and disembarking;

- (d) ensure that the aircraft is disinfected before boarding and after disembarkation;
 - (e) limit hand luggage in the cabin as much as possible;
 - (f) hand sanitise all passengers before boarding;
 - (g) thermo-scan all passengers before boarding;
 - (h) not serve food or beverages on flights of less than 2hr duration; and
 - (i) disinfecting toilets after every 30 minutes during flight.
- (2) Where hand luggage is unavoidable in terms of this section it shall be disinfected before boarding.
- (3) An Operator shall leave the back row seat empty to allow occupancy by suspected passengers.

17. Cabin crew requirements

All cabin crews shall –

- (a) wear masks all the time except when eating;
- (b) be tested for COVID-19 at least once per month;
- (c) be thermo-scanned at least twice a day; and
- (d) not mix their hand luggage with passenger's luggage.

18. Passenger requirements

All passengers shall –

- (a) wear masks all the time except when eating;
- (b) always disinfect toilet facilities after use;
- (c) regularly hand sanitise themselves during flight;
- (d) restrict their movements while on board;
- (e) cover their mouth when sneezing;
- (f) report to cabin crew or airport staff any COVID-19 related symptom; and
- (g) practice high level of hygiene.

19. Extension of operators certificates

- (1) The Authority may, due to COVID-19 pandemic, extend the validity of Operator Certificates in order for such entities to continue conducting operations after that date.
- (2) The extensions made in accordance with subsection (1) shall only be issued to Certificates—
- (a) which are valid at the time of application;
 - (b) for which the privileges of the certificate or rating would normally be required to be revalidated during this alleviation period;
 - (c) where all revalidation requirements have been met but the administrative process could not be completed; or
 - (d) where the revalidation requirements have been met in accordance with other alleviations issued by the Authority.

- (3) The Authority, where it is unable to conduct required audits for certificate renewal purpose, shall consider the following before extension—
 - (a) safety culture of the operator;
 - (b) the maturity of the SMS program;
 - (c) the results of the internal audits conducted by the operator;
 - (d) the results of the last audit.
- (4) The Authority shall carry a risk assessment of the operator before extension is granted.
- (5) The Authority may issue the following limitations to extended certificates—
 - (a) limit the scope of operations; or
 - (b) increased monitoring of the operator.
- (6) The Authority shall not extend the certificate by more than the normal certificate validity period.

20. Airmen licence and rating validity extensions

- (1) The Authority may, due to COVID-19 pandemic, extend the validity of airmen licences in order for such airmen to continue conducting operations after that date.
- (2) The extensions made in accordance with subsection (1) shall only be issued to licences—
 - (a) which are valid at the time of application;
 - (b) for which the privileges of the licence or rating would normally be required to be revalidated during this alleviation period;
 - (c) where all revalidation requirements have been met but the administrative process could not be completed; or
 - (d) where the revalidation requirements have been met in accordance with other alleviations issued by the Authority.
- (3) The extension issued in terms of this subsection applies for the period no later than 31 March 2021.
- (4) The Authority shall not extend validity of a licence to a license holder who is subject to relevant enforcement, or any suspension or cancellation action.

21. Online training

All Operators shall —

- (a) prioritise online training to keep all required staff abreast with the requirements of their work; and
- (b) check staff competency and training requirements before resuming duty.

22. Flight crew member training programmes

- (1) The Authority may, due to operational limitations caused by the COVID-19 pandemic—
 - (a) extended validity to operator or proficiency line checks or Safety Equipment and Procedures training; or
 - (b) allow alternative means, like virtual training, for providing the training.
- (2) The licence extension made in terms of this section shall be—
 - (a) only to pilots engaged in commercial operations with an operator;

- (b) only if the licence is valid with the appropriate current type/instrument rating;
- (3) The alternative means for providing training made in terms of this section shall only be for current approved training programmes.
- (4) In granting extensions specified under this section, the Authority shall limit such approvals depending level of risk associated with the approval, after considering the following—
 - (a) the compliance and effective performance of the organisation, including the maturity of their SMS, and confidence within the organisation;
 - (b) the complexity of the organisation evaluated in the form of—
 - (i) number of aircraft and aircraft type variance operated; and
 - (ii) types of operation;
 - (c) effectiveness of the training organisation;
 - (d) the change of operating environment like limited RFFS, limited ground-handling facilities, restricted access to the aircraft by ground staff and reduced aerodrome services;
 - (e) whether additional briefing or training is needed to handle the changed situation or environment;
 - (f) possible change of operator role like passenger to cargo/humanitarian which could increase need for training;
 - (g) the use of specialised procedures or equipment like RNP-AR or EVS which depend more heavily on training elements;
 - (h) the training in combination with other possible exemptions like extension of validity of licence plus lack of recency and potential flight and duty time extensions;
 - (i) the total experience of crew concerned, in terms of hours, route and/or aerodrome familiarity;
 - (j) increased risk due to limited number of operations by each crew member; or
 - (k) management of the change from current situation back to normal operations post COVID-19 contingencies.
- (5) The Authority may include the following mitigations on extensions made in terms of this section—
 - (a) reductions in operating limitations like cross-wind, contaminated runways or restricting new destinations;
 - (b) reduction in scope of activities such as CAT III, or RNP AR;
 - (c) increased training delivered by alternative means like threat and Error Management training appropriate to the revised operations, SEP changes, crew guidance material and SOP's or Crew composition; or
 - (d) to pair line trainers with pilots with least experience or lower performing pilots.
- (6) The following shall be effected before extensions in terms of this section are granted—
 - (a) all crew briefings shall include Human Factors considerations;
 - (b) applicability of the extension shall be based on suitable performance in previous proficiency check;
 - (c) prior approval of temporary change to Operations Manual - Part D.
- (7) Any operator who has a significant safety concerns shall not be considered for approval in terms of this section.

23. Recent experience requirements - pilot-in-command, co-pilot and cruise relief pilot

- (1) The Authority may, due to COVID-19 pandemic, temporarily allow operators to assign pilots to act as pilot-in-command or co-pilot or cruise relief pilot although not meeting full recent experience requirements of Statutory Instrument 87 of 2018.
- (2) The Pilot-in-command or co-pilot alleviations in terms of this section may be granted by either reducing the number of required take-offs, approaches and landings (3) or extending the applicable period (90 days) or both.
- (3) Cruise relief pilot alleviations made in terms of this section may be granted by substituting flying skill refresher training, normally conducted in the aeroplane or in an approved flight simulator, for alternative training or extending the applicable period (90 days) or both.
- (4) The alleviation in terms of this section shall –
 - (a) only be granted to a pilot whose licence has a valid rating for the type of aeroplane and that the validity of that rating has not been extended using Covid-19 alleviation; or
 - (b) only be granted where at least one pilot of the minimum required flight crew is current unless the PIC is an instructor or examiner;
 - (c) be limited to operators that are able to justify their need and have established adequate mitigation measures, as a result of a complete risk assessment.
- (5) The alleviations timeframe shall be limited to a period needed to continue or ramp-up the operation and shall be revoked once compliance with the standard can be achieved through normal means.
- (6) The Authority shall explore other possibilities for the maintenance of pilot recency before granting alleviations by—
 - (i) conducting non-commercial operations; or
 - (ii) the use of alternative flight simulators like those not qualified in accordance with the Authority's standards but still deemed fit for purpose and approved exceptionally by the Authority, provided that negative training and negative transfer of training are avoided.
- (7) The reduced level of safety achieved after granting alleviations in terms of this section shall be compensated by the reduction in exposure due to reduced operations, which reduce the complexity of the operating environment for the crew.
- (8) The alleviations made in terms of this section shall –
 - (a) be subject to additional restrictions in order to reduce flight crew exposure to demanding situations like unfamiliar areas or airports and severe weather;
 - (b) be commensurate to the recent experience gained by the concerned pilots in accordance with the following groups –
 - (i) fully recent (3 TO/LDG in 90 days);
 - (ii) partially recent (1 or 2 TO/LDG in 90 days); and
 - (iii) not recent (no TO/LDG in 90 days).
- (9) The extent of alleviations made in terms of this section shall be proportionate to the concerned pilots' flight experience (total and on the type) and qualifications.
- (10) The Authority shall only issue alleviation of more than 120 day under exceptional circumstances.

- (11) The operator's risk assessment specified in 23(4)(c) shall —
 - (a) address the potential severity of the pilot's competency deterioration related to the extended absence from flying duties;
 - (b) consider the cumulative effect of other relevant alleviations, for example extended validity period of pilot proficiency checks plus lack of recency;
 - (c) provide appropriate mitigations measures to reduce the risks identified as far as possible;
 - (d) determine which pilot should be the pilot flying.
- (12) The Authority shall, where both pilot's recency period is extended and the number of take-offs and landings reduced below 3, employ a higher level of mitigation.
- (13) The following mitigations may be considered by the Authority before any approval in terms of this section is granted—
 - (a) partially recent pilots are paired with fully recent pilots;
 - (b) not recent pilots are paired with fully recent instructors or examiners;
 - (c) partially recent pilots may be paired with partially recent instructors or examiners;
 - (d) the Authority may apply one or more operational limitations to alleviate crew pairings such as—
 - (i) the most recent pilot assuming the role of pilot flying during the first sector;
 - (ii) reduction in maximum crosswind or tailwind limitations;
 - (iii) avoidance of contaminated runways or severe weather;
 - (iv) higher take off or approach minima;
 - (v) dispatching only aircraft with a functioning autoland system or to airports with multiple approach capabilities, including autoland;
 - (vi) operation with additional flight crew members;
 - (vii) operate with reduced FDP limits.
- (14) Alleviations made in terms of this section shall not allow flight crews to be composed with all required pilots not having conducted any flight activity in the aeroplane or in an approved flight simulator in the preceding 90 days.

24. Aeroplane recent experience - pilot-in-command area, route and aerodrome (ARA) qualifications

- (1) The Authority may, due to COVID-19 pandemic, relax the requirement for the PIC to meet Area Route and Aerodrome recency within the preceding 12 months.
- (2) The relaxation specified in subsection (1) applies to—
 - (a) a PIC that does not meet the specific ARA recency requirement;
 - (b) operators that have returned to service after an extended period with minimal number of flight crew members that met ARA recency requirements.
- (3) The alleviation shall —
 - (a) be time limited to a period needed to commence flight operations; and
 - (b) be revoked once compliance with the Standard can be achieved;

- (c) be subjected to operational restrictions in order to reduce flight crew exposure to demanding situations like severe weather;
 - (d) be commensurate with the recent ARA experience of the pilot in command, the co-pilot or other assigned flight crew members;
 - (e) be granted following the operator developing a risk assessment addressing the degradation of specific skills and/or knowledge due to lapse of ARA recency;
 - (f) take into account the overall operator's performance and risk profile like SMS.
- (4) The Authority may endorse the following limitations on relaxations issued in terms of this section —
- (a) operator implements enhanced dispatch procedures that track ARA changes;
 - (b) operator implements feedback from other pilots operating in the area or route and or aerodromes;
 - (c) operator to provide a more comprehensive dispatch briefing;
 - (d) operator to provide flight crew with increased time to enable more comprehensive pre-flight preparation and planning;
 - (e) use of distance learning to provide refresher training of knowledge and SOPs including specific normal and non-normal operations into the specific ARA;
 - (f) substituting recency normally acquired as a flight crew member in an aeroplane or in an approved FSTD, with an alternative ground training device like those not qualified in accordance with set Standards but still deemed fit for purpose by the Authority provided that negative training is avoided;
 - (g) roster an experienced flight crew member on flights with a PIC that has expired ARA recency;
 - (h) consider the following operational limitations in the risk assessment for the specific ARA operation—
 - (i) flight into the specific ARA with the most current pilot assuming the role of pilot flying;
 - (ii) avoiding operations with significant terrain and minimum safe altitudes of Navigational and communication facilities;
 - (iii) reduction in maximum crosswind/tailwind limitations;
 - (iv) avoidance of contaminated runways/severe weather;
 - (v) use of higher approach/departure minima;
 - (i) operating with increased crew complement;
 - (j) operations with reduced duty periods or other options limiting fatigue;
 - (k) no operational MEL items that may unacceptably increase pilot workload taking into account the specific ARA.
- (5) The extent of the mitigating measures shall be reviewed to take into account the period of time the PIC has not operated into the specific ARA.
- (6) The Authority shall not issue any relaxation to the requirements in terms of this section where—
- (a) the Scheduled PIC has not ever operated into the specific ARA;
 - (b) all scheduled flight crew that are scheduled for a flight into an ARA without one member of the operational flight crew that meets specific ARA recency;

- (c) pilot in Command ARA recency expired by more than 6 months.
- (d) flight crew operating with extended flight and duty time limitations;
- (e) operations to aerodromes requiring complex procedures like RNP AR APCH or steep approaches; or
- (f) use of an FSTD deemed not fit for purpose by the Authority.

25. Variations to existing flight and duty time limitations

- (1) The Authority may, due to COVID-19 pandemic, permit under controlled and monitored conditions, flight operations operated by crews who have gone beyond those duty time limitations normally permitted under approved prescriptive limitations.
- (2) The authorisation in terms of this section shall be—
 - (a) in extreme circumstances;
 - (b) once-off or very short-term operations that are critical for COVID- 19 control;
 - (c) given after all other options have been evaluated and have been found to have an unacceptable level of safety for the operating crew and/or passengers;
 - (d) after the Operator’s SMS has been audited to demonstrate effective identification and management of fatigue hazards;
 - (e) given after the operator’s route-specific safety case and the proposed mitigations have been accepted by the Authority.
- (3) The Operator’s safety case specified in subsection (2) shall include a comprehensive flight risk assessment covering all risks associated with these novel operations, including the combination of multiple alleviations and shall identify—
 - (a) the circumstances in which the alleviation may be used;
 - (b) the operations to which the variations may be applied;
 - (c) the necessary mitigations to address the increased fatigue risks;
 - (d) the flight and duty period limits and rest requirements (including pre- and post-trip pattern);
 - (e) how the need for adequate sleep, for limiting periods of wake, circadian effects and workload are to be addressed;
 - (f) a contingency plan(s) that covers operational and fatigue related issues that may arise during the flight (i.e. technical problems, weather, delays, crew unfit to continue duty);
 - (g) additional pre-trip rest to ensure fitness for duty;
 - (h) methods to prevent cumulative fatigue.
- (4) The mitigation measures that may be issued by the Authority when granting approval under this section includes—
 - (a) appropriately augmented crews as required by the safety case specified in subsection (2) for each rotation;
 - (b) adjusting rosters to avoid critical phases of flight during the window of circadian low (WOCL);
 - (c) methods to maximise in-flight rest time allocation for all crew in support of optimising crew alertness;

- (d) provision of appropriate facilities for on-board sleep and protected cabin spaces (away from passengers, cargo) to support rest and minimise the health risk to the crew;
 - (e) provision of food and drink for the duration of the duty;
 - (f) restricted dispatch conditions (fuel, operational limitations, MEL items, limit the number of passengers/cargo);
 - (g) protections around commuting to/from home base;
 - (h) operating within the weekly/monthly limits for duty, rest and flight time;
 - (i) provided crew with the flexibility to allocate rest and operational duties on the day to manage actual sleep/alertness needs of the crew;
 - (k) provision of fatigue awareness and management briefings to crew prior to commencement of operations; or
 - (l) provision of airport hotel facilities to limit transit time and challenges generated by the Covid-19 pandemic.
- (5) The Authority shall not issue alleviation for reasons not associated with Covid-19 restrictions.

26. Pilot proficiency checks

- (1) The Authority may, due to the COVID-19 pandemic, exempt a pilot from the requirement to conduct a proficiency check twice in one year.
- (2) The exemption made in terms of subsection(1) —
 - (a) shall be issued only in circumstances where no alternatives are available than to grant an alleviation;
 - (b) applies to pilots engaged in commercial operations with an operator; and
 - (c) applies to pilots that are due for a proficiency check only.
- (3) The Authority before issuing an exemption under this section shall —
 - (a) look at combination effect of multiple exemptions like extension of validity of licence plus lack of recency;
 - (b) conduct risk assessment of Operator SMS; and
 - (c) consider total competency and proficiency of the pilot involved.
- (4) The operator shall ensure that unusual operations (specific/complex areas of operation, extended Flight Time Limitations) shall be limited to crew with regular validity on the licence.
- (5) In an effort to maintain an equivalent level of safety, the Authority shall consider following mitigations to operations by crew with exemptions granted in terms of this section—
 - (a) reductions in operating limitations such as—
 - (i) crosswind/tailwind;
 - (ii) contaminated runways/severe weather;
 - (iii) use of higher take-off/approach minima;
 - (iv) no operational MEL items that may unacceptably increase pilot workload;
 - (b) two pilots operating under exemption shall not be scheduled together, or when both pilots are operating under the exemption, then one of them shall be a check pilot or flight instructor;

- (c) use of distance learning to provide a refresher on knowledge and SOPs including normal and non-normal operations; or
 - (d) pairing lower experience crew member with a more experienced crew member.
- (6) The Authority shall not issue an exemption in terms of this section for—
- (a) commercial reasons or reasons not associated with Covid-19 restrictions; or
 - (b) to extensions that more than double the original regulatory validity period of the proficiency check.

27. Cabin crew recurrent training requirements

- (1) The Authority, due to COVID-19 pandemic, may—
- (a) extend the validity of cabin crew qualifications and licences; or
 - (b) allow alternative means for providing the training like E-Learning.
- (2) The Authority may, when giving approvals in terms of this section, apply the following mitigation measures—
- (a) completion of parts of syllabus typically conducted through classroom or computer-based training *via* digital learning;
 - (b) deferral of hands-on and simulated exercises until the alleviation expires or until in-person training can be safely resumed;
 - (c) use of webinars and other interactive means to address some topics in the syllabus which require interaction, such as crew resource management.
 - (d) use of instructional aids like videos to refresh crew members' knowledge of equipment and systems in the cabin;
 - (e) enhanced pre-flight briefing, to supplement training;
 - (f) records management process to keep track of all cabin crew members affected by the alleviation;
 - (g) crew composition criteria like rostering crew members who are affected by the exemption with those who are not, where possible; or
 - (h) "return to normal operations plan" to manage the completion of recurrent training, as per the approved training programme, by each cabin crew member affected by the exemption when it expires.
- (3) The instructional aids specified in subsection (2)(d)—
- (a) shall be used as an interim measure until such time when crew can complete the required training; and
 - (b) do not substitute the required hands-on training.
- (4) The training delivery method may be modified but all content shall be either addressed or deferred for successful completion at a later date by each cabin crew member.
- (5) The authority shall not approve—
- (a) changes without a safety risk assessment to manage the alleviation;
 - (b) exemptions of hands-on and simulated exercises in cabin crew initial training;
 - (c) reduction of content in the approved training programme syllabus;

- (d) exemptions that permits lapses in cabin crew qualifications, once training has resumed, as part of a return to normal operations.

28. ATCO recency requirement extension

- (1) The Authority, due to COVID 19 pandemic, may issue an extension of the ATCO rating validity.
- (2) The ATC Ratings which may be extended in terms of subsection (1) shall be within the validity period at the time of the alleviation.
- (3) The mitigation that may be issued by the Authority under this section includes—
 - (a) ATCO pairings like two Controllers, one of whom complies with recency requirements;
 - (b) additional performance monitoring or assessment including by remote means;
 - (c) reviews of voice recordings;
 - (d) oral or written knowledge testing;
 - (e) performance assessment using principles of social spacing; or
 - (f) "Return to normal operations plan" to manage the assessment, as per Annex 1 – Personnel Licensing, by each ATCO affected by the alleviation when it expires.
- (4) The Authority shall not issue alleviation for any reason not associated with COVID-19 constraints.

29. ATCO training alleviation as a consequence of COVID-19 spread

- (1) The Authority due to COVID-19 pandemic, may—
 - (a) allow some of the required hours for aerodrome, approach and/or area control ratings to be conducted in an ATC simulation training device; or
 - (b) increase in the proportion of ATC simulation training device (STD) to live traffic training until a specific date upon application or general administrative decision.
- (2) The exemption issued in terms of this section applies to air navigation service providers (ANSPs) providing live on the job training instruction (OJTI) to ATCO trainees until such time as air traffic levels normalise.
- (3) The following mitigation measures may be considered by the Authority when issuing exemptions in terms of this section—
 - (a) the instructors used for the training in the STD shall be competent to use device;
 - (b) ATCO pairing two controllers, one of whom validated their rating under normal (representative) live traffic situations;
 - (c) continuous training program to be established for rated ATCOs to maintain knowledge, competency and proficiency;
 - (d) briefings, testing (verbal and/or written) on topics such as —
 - (i) operational procedures;
 - (ii) scenario-based table top exercises;
 - (e) safety case studies;
 - (f) introduction of air traffic intensity and scenarios during sessions to maintain rated ATCOs competency and proficiency;
 - (g) additional performance monitoring or assessment (including by remote means):

- (h) reviews of voice recordings;
 - (i) oral or written knowledge testing; or
 - (j) "return to normal operations plan" to manage the skill enhancement required by each ATCO affected by the alleviation when it expires.
- (4) The Authority shall not accept 100 % ATC simulation training device based training, with no live OJT provided.

30. Periodicity of flight inspection of radio navigation aids

- (1) The Authority may, due to COVID-19 pandemic, extend, under controlled and monitored conditions, flight inspection intervals of navigation aids beyond those stipulated in [Statutory Instrument 210 of 2019](#).
- (2) The extension specified in subsection (1) shall be subject to the conditions below being met—
- (a) the Authority having evaluated that the operator is unable to comply with normal periodicity, with evidence that all options to maintain periodicity (e.g. appropriate prioritisation of inspections) were evaluated and found unacceptable;
 - (b) the expiry of flight inspection interval (including the time window) falls within the extension period;
 - (c) engineering evaluation taking into account the following factors—
 - (i) proven track record of reliability and stability of operation of the equipment;
 - (ii) ground testing/inspection successfully performed;
 - (iii) quality of ground maintenance;
 - (iv) stable operational environment (including site safeguarding and protection of ILS critical and sensitive areas);
 - (v) extension is consistent with equipment manufacturer recommendations.
- (3) Where flight inspection intervals for a Category III ILS are significantly exceeded, the Authority may downgrade the facility from Category III to Category II or Category I.
- (4) The Authority may apply the following mitigation measures when giving extensions in terms of this section—
- (a) additional monitoring;
 - (b) review of the engineering evaluation on a regular basis;
 - (c) define procedure to deal with the return to standard validity periods, taking into account potential inspection backlog;
 - (d) careful examination of any pilot reports identifying potential poor performance of the navigational aids; or
 - (e) implementation of a record for tracking the use of the alleviation instrument.
- (5) The Authority shall —
- (a) not authorise excessive deviations from nominal performance; or
 - (b) cancel the authorisation where frequent pilot reports of poor performance are received.

31. Recurrent dangerous goods training

- (1) The Authority may, due to COVID-19 pandemic, extend the validity of recurrent dangerous goods training to a specific date upon application and/or allow alternative means for providing training that may not have been part of an approved training programme provided Dangerous goods recurrent training is valid at the time of the alleviation.
- (2) The Authority may apply the following mitigation measures when extending validity of dangerous goods training in terms of subsection (1) –
 - (a) use of other means of training and assessment or combination thereof to achieve the training objective like online courses, webinars, virtual classrooms, and on-the-job training;
 - (b) use of webinars and other interactive means to address some topics in the syllabus which require interaction;
 - (c) use of instructional aids to refresh knowledge;
 - (d) records management process to keep track of personnel affected by the extension;
 - (e) staffing personnel who are affected by the extension with those who are not, where possible; or
 - (f) "Return to normal operations plan" to manage the completion of recurrent training by each staff member affected by the alleviation when it expires.
- (3) The Authority shall not authorise—
 - (a) changes without a safety risk assessment to support the extension; or
 - (b) the reduction of content in training programme syllabus.
- (4) The training delivery method may be modified but all content shall be either addressed or deferred for successful completion at a later date by each staff member.

32. Medical Assessment - Certificate Validity Extension

- (1) The Authority may, due to COVID-19 pandemic, extend the validity of the a Medical certificate to a specific date upon application or to ensure continued operations provided that—
 - (a) the last assessments at the time of extension;
 - (b) no current enforcement action against the licence holder like medical certificate suspended, withdrawn/revoked or denied has been instituted;
 - (c) the applicant continues to comply with medical restrictions/ limitations on licence;
 - (d) the medical certificate subject to the extension is carried and it is accompanied by proof of exemption with date of expiry.
- (2) The Authority may apply the following mitigation measures, when extending medical certificates in terms of this section—
 - (a) conduct of limited medical examination by alternative means like tele-consultation, in lieu of physical examination;
 - (b) operational limitations due to medical factors have been considered as part of the risk assessment when decisions are made regarding the extension of medical assessment.
- (3) The operator shall monitor and manage extensions granted in terms of this section by—
 - (a) reviewing risk assessments on a regular basis;

- (b) developing and implementing a procedure for the extension of validity, lifting of extension and the return to standard validity periods.
- (4) The Authority shall not authorise—
 - (a) extension of the certificate beyond two times the standard certification period; or
 - (b) period of the extension longer than the normal validity period for the medical certificate issued or exceeding 12 months.

33. Ramp handling

If the cargo and baggage handlers use "re-usable" gloves while handling cargo and baggage, the issue of washing hands still apply. Normal procedures apply on how such cargo is handled. In addition, the UN3373 Cat B substances similarly are handled normally because they pose no risk when packaged as required.

34. ULD handling

Any organisation storing (permanently or temporarily) ULDs shall be responsible for providing and operating suitable and enough sufficient infrastructure as well as ensuring only staff with required training and qualifications to handle ULDs to prevent damage. The following are some general guidelines —

- (a) before placing into storage, all rubbish and/or ancillary accessories not permanently attached to the ULD shall be removed from the ULDs;
- (b) ULDs (except for forkliftable ULDs) shall never be stored directly on the ground but on a suitable ULD base support system;
- (c) containers shall always be stored base downwards and pallets horizontally ULDs should be segregated by ULD Type Code;
- (d) if ULDs of different airlines/ULD owners are stored, ULDs should be segregated by airlines/ULD owners;
- (e) container doors must be fully restrained;
- (f) pallet nets and cargo straps shall not be exposed to damaging environment such as direct sunlight (U.V.), water (humidity), freezing temperature to prevent environmental degradation ULDs shall be sheltered whenever possible;
- (g) storage area for unserviceable ULDs shall be clearly marked and the damaged units segregated from serviceable units and tagged;
- (h) once placed into storage, all required locks or stops shall be engaged to prevent ULD from unintended further movement.

35. Screening of persons and hold baggage

- (1) In order to reduce exposure of security screening personnel and passengers to COVID-19 an Operators shall avoid physical contact in resolution of alarms by applying other secondary screening methods as follows —
 - (a) use Hand Held Metal Detector (HHMD) instead of physical or hand search to personnel; or
 - (b) use personal protective clothing or explosive detection dogs for hold baggage.
- (2) The measures specified in subsection (1) shall also apply to other access control check points where persons and vehicles have escorted or unescorted access to security restricted areas.