



# AOPA NAMIBIA

## AIRCRAFT OWNERS AND PILOTS ASSOCIATION

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The Interim Executive Director  
Namibia Civil Aviation Authority  
Rudolph Herzog Street  
WINDHOEK  
ATTENTION: Mr. Gordon Elliott

13<sup>th</sup> August 2021

Dear Mr. Elliott,

### **Request for an urgent meeting to discuss matters of serious concern to AOPA members**

The following issues would be on the agenda of the proposed meeting:

1. It is our understanding that the NCAA is not in a position to successfully conclude the certification process of aviation companies, owing to a lack of suitably qualified and signed-off inspectors. These shortcomings have a serious financial impact on AOC holders. Accordingly, we hereby request that the NCAA to inform AOPA of its intentions with regards to the sourcing of appropriately qualified inspectors, in order to expedite the certification process.
2. It is of great concern to AOPA Namibia that the NCAA has not responded to the official letter from AOPA to the IED (dated 15 March 2021), in connection with the minimum qualifications required of inspectors. The industry as a whole, is dissatisfied with the level of constructive interaction with the existing inspectors and their clear lack of qualifications and competence in dealing with technical matters under their fields of responsibility. Furthermore, inspectors seem to have little to no comprehension of the financial implications to the operators of such lack of knowledge and experience.
3. The NCAA issued a notification to all operators that have operated under the provision of NAMCARS Part 127.06.2 and Part 135.06.2, that the AOC's issued will no longer be valid beyond 31st July 2021. If NCAA Flight Operations and Airworthiness departments are unable to perform their surveillance duties adequately, operators that have applied for renewal of their AOC within the stipulated 30 days prior to its expiry, should not be penalised by not having their AOC's renewed. This practice is entirely unacceptable.
4. NCAA requires a financial statement from operators as part of the process to renew an AOC and will not accept a letter of good standing from the company's auditors or bank.  
NAMCARS (Part 121, 127 and 135) states that operators must provide: "proof that the applicant is financially capable of conducting the type of operation, and the maintenance of the type of aeroplane covered by the application".

ICAO provides a list of elements that are acceptable in providing proof of the financial security of a company. Financial statements are not mentioned under the ICAO provisions and we entirely reject the demand for financial statements to be presented to NCAA as NCAA inspectors do not have the technical qualifications to analyse financial statements and comment thereon. All other means, as mentioned by ICAO, would be acceptable to the industry.

5. Operators are required to fill key post-holder's positions as per the Aviation Directive (see below). This directive only comes into effect on 30th August 2021. With regard to the Aviation Directive 1/2/3-8:
  - a) AOPA has no records that the industry was consulted as required in terms of NAMCARS Part 11. This directive is therefore rejected in its entirety.
  - b) Although we believe the intentions of the directive are well founded, AOPA is of the opinion that small operators will find it extremely difficult, if not impossible to comply to the directive, notwithstanding the fact that most of the elements of the directive are entirely at odds with best practice in the rest of the world.
  - c) Some of the concerns raised were:
    - i. The directive does not give an implementation period, only an effective date of implementation. Changing the qualification requirements for key position holders will require the industry to be granted a reasonable period to implement any changes. AOPA therefore requests that the NCAA, after consultation with the industry regarding an appropriate implementation timeframe, should add an implementation period to the directive.
    - ii. Directive 5.2.8.4.2. On-site is not a measure of how effective a manager is able to carry out his/her duties, and thus this cannot be listed by the NCAA as a restriction. The Number of non-compliances during a surveillance activity is a far better measure of a position-holder's ability to carry out his/her duties, as opposed to time spent on-site.
    - iii. Directive 5.5.3. The specific candidate will not be allowed to reapply for a period of 6 calendar months from the date of the letter of rejection. Our recommendation is that should a candidate fail an interview for a management position due to a lack of knowledge and/or experience, the NCAA should allow the unsuccessful candidate to serve in the position under mentorship for a limited period of time, but that this should not require an exemption. Training and education cannot be restricted by the NCAA, it should rather be promoted.

- iv. It is our strong recommendation that the directive needs to consider the scale of operators, especially for commercial operations of less than 5 aircraft/pilots, as is normal practice in most other countries. Accordingly, AOPA requests that the NCAA should develop a dispensation for operators that operate less than five aircraft within Namibia, that would allow them to combine positions and appoint external quality and safety oversight systems, as detailed in NAMCARS part 140 and ICAO annex 19.

As mentioned in the aforesaid, we expect prompt feedback on each of our requests, especially in relation to such important matters that mean the life or death of our industry. Our request is that we urgently meet to discuss these matters. AOPA is aware of several aircraft operators that are virtually grounded, as a result of the non-renewal of their AOC. The financial impact to the companies concerned is extremely severe, especially during this time of COVID.

It would be appreciated if you could consider the above as a matter of extreme urgency and agree to immediately setting up a meeting between NCAA management and the AOPA executive to discuss these matters further.

We look forward to hearing from you at your earliest convenience.

Yours sincerely,



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M T Dawe  
**President**  
AOPA Namibia