

ENR 1. GENERAL RULES AND PROCEDURES

ENR 1.1 GENERAL RULES

The air traffic and procedures applicable to air traffic in the Republic of Namibia conform with Annexes 2 and 11 to the Convention of International Civil Aviation and to the Procedures for Air Navigation Services - Rules of the Air and Air Traffic Services, and the Regional Supplementary Procedures applicable to the AFI Region, except for the differences listed in GEN 1.7.

1. Minimum safe height

1.1 Except when necessary for taking off or landing, or except by individual permission from the Executive Director: Civil Aviation Authority, aircraft shall be flown:

- a) over built-up areas or over an open-air assembly of persons at heights which will permit, in the event of the failure of a power unit, an emergency landing without undue hazard to persons or property on the surface; these heights shall not be less than 1 000 feet above the highest obstacle within a radius of 2 000 feet from the aircraft;
- b) when elsewhere than specified in subparagraph a) above, at a height not less than 500 feet above the ground or water.
- c) so as not to circle over or do repeated overflights over an open-air assembly of persons at a height less than 3000 feet above the surface.

1.2 Except when necessary for take-off or landing an aircraft shall be flown at night, in IMC or when operated in accordance with IFR at a height of at least 1 500 feet above the highest obstacle located within five nautical miles of the aircraft in flight.

2. Dropping of objects

Except in an emergency or unless granted special permission by the Executive Director: Civil Aviation Authority no article shall be dropped from an aircraft in flight other than:

- a) fine sand or clean water used as ballast;

- b) chemical substance for the purpose of spraying or dusting.

3. Aerobatic flights

3.1 No aircraft shall be flown acrobatically so as to endanger air traffic.

3.2 Except by individual permission from the Executive Director: Civil Aviation Authority, aircraft shall not be flown acrobatically:

- a) in the vicinity of air traffic services routes;
- b) within five nautical miles of an aerodrome unless at a height not less than 4 000 feet above ground level.

4. Towing flights

4.1 A pilot-in-command of an aircraft in flight shall not permit anything to be towed by the aircraft, except:

- a) with the prior approval of the Executive Director; or
- b) if certificated to do so under aerial work operations.

4.2 An applicant for a tug pilot rating shall submit to the Executive Director: Civil Aviation Authority, the required information contained in NAMCAR Part 61, Subpart 34.

4.3 *Passengers*

No passengers shall be carried in the tug aircraft while towing operations are in progress.

4.4 *Minimum altitudes*

The minimum safe altitudes prescribed by Regulation 3.2 of the ANR shall be adhered to during all towing operations.

4.5 *Manoeuvres*

Manoeuvres of the aircraft during all towing operations shall be limited so that the tow line is kept extended rearward as nearly as possible in line with the direction of flight of the aircraft and any abrupt changes in aircraft altitude or direction of flight shall be avoided.

4.6 *Atmospheric conditions*

Towing operations shall not be conducted in turbulent atmospheric conditions which may adversely affect the control of the aircraft.

4.7 *Visibility*

When the pilot of the tug aircraft cannot effectively see the glider or banner being towed a suitable rear-view mirror is recommended to eliminate the need for the tug pilot to look back at the glider or banner during towing operations.

4.8 *Release of glider or banner*

4.8.1 At the conclusion of a glider towing operation the glider shall be released in such an area and at such a height as will permit it to make a safe landing.

4.8.2 Banners and tow ropes shall be released in such an area and at such a height as will ensure that all danger to life and property on the ground is avoided.

5. Times and units of measurement

5.1 Universal co-ordinated time (UTC) is used in the air traffic and communication services and in documents published by the aeronautical information service.

5.2 In reporting time, the nearest full minute is used, e.g. 12 HR 40 MIN 40 SEC is reported as 1241.

5.3 Time checks to aircraft are accurate to within 5 seconds.

5.4 The units of measurement used in connection with all air traffic services in the Republic of Namibia are in compliance with the 4th Edition of Annex 5.

6. Airspace structure

Refer to ENR 1.4.

7. Prohibited and restricted areas

7.1 *Prohibited areas*

7.1.1 The Executive Director: Civil Aviation Authority may by notice in an AIP or AIC or a NOTAM declare any area to be a prohibited area and shall, for the purposes of the prohibition contained in sub-regulation 7.1.2, when so declaring an area to be a prohibited area:

- a) specify a height above the ground surface of such area; or
- b) specify an altitude in respect of such area, as he may deem expedient, in the notice in question.

7.1.2 No person shall fly any aircraft whatsoever in the airspace above a prohibited area:

- a) below the height specified in terms of sub-regulation 7.1.1.a), or
- b) below the altitude specified in terms of sub-regulation 7.1.1.b), as the case may be, in respect of the prohibited area in question.

7.2 *Restricted areas*

7.2.1 The Executive Director: Civil Aviation Authority may by notice in an AIP or AIC or a NOTAM declare any area to be a restricted area and shall, when so deciding an area to be a restricted area, specify in the notice in question:

- a) the nature and extent of the restriction applicable in respect of the area in question, and
- b) the authorisation under which flights in such a restricted area shall be permitted.

7.2.2 No person shall, in contravention of a restriction contemplated in sub-regulation 7.2.1.a), fly any aircraft to which the said restriction applies in any restricted area, unless the flight in question has been permitted by virtue of any authorisation contemplated in sub-regulation 7.2.1.a).

8. Cloud flights with gliders

NIL INFO AVBL

9. Take-offs and landings of aeroplanes, rotorcraft, airships, powered gliders, gliders and parachutists outside aerodromes admitted for them

9.1 For take-offs and landings of aeroplanes, rotorcraft and airships, permission from the local aeronautical authority is required. For take-offs of powered gliders and gliders outside designated aerodromes, permission from the local aeronautical authority is required; however, for landings of powered gliders and gliders on a cross-country flight, permission is not required. This is to be applied analogously to landings of parachutists outside designated aerodromes.

9.2 The authority granting permission may ask the applicant to produce evidence of the consent of the terrain owner or of other entitled parties.

10. Helicopter operations

10.1 A helicopter shall not land on or take-off from any place unless that place is so situated as to permit that helicopter, in the event of an emergency arising, during such landing or take-off, to land without undue hazard to persons or property on the surface.

10.2 A helicopter shall not carry an external load unless it is carried in such a manner as to permit, in the event of an emergency arising, of such load being jettisoned without undue hazard to persons or property on the surface or to the helicopter.

10.3 a) A helicopter shall not land or take off from any building or structure or place within 100 meters of buildings or structures situated in the area of jurisdiction of a local authority, unless such building, structure or place has been approved for that purpose by the Director: Civil Aviation: Provided that, subject to the provisions of regulation 2.1(2) of the Aerodrome Regulations, 1982, as published by Government Notice R.2189 of 15 October 1982, this provision shall not apply:

- i) to a helicopter landing on or taking off from a building, structure or place within an area which is specified in paragraph a) and which is situated within an industrial area or a commercial warehouse area or on open farm land which is suitable for such purpose and in

respect of which helicopter the pilot-in-command is the holder of a valid commercial or higher pilot's license (helicopter), or in the case of a private pilot (helicopter), with the written permission of the Executive Director: Civil Aviation Authority, unless specifically prohibited by the local authority concerned;

- ii) to a helicopter undertaking a flight for the purpose of saving human lives, or involved in civil defence, or undertaking a flight necessary for the exercising of any power in terms of any law.

b) A local authority may extend the scope of the provisions of paragraph a) i) to include other places in its area of jurisdiction.

c) For the purposes of this sub-regulation, "local authority" means anybody, council or institution contemplated in Section 84 (l) (f) of the Provincial Government Act, 1961 (Act 32 of 1961).

10.4 The Executive Director: Civil Aviation Authority may, in the interests of safe helicopter operations, impose conditions or institute restrictions as to the use of any building, structure or place for the landing or take-off of helicopters, or require special flight procedures to be adopted at and special routes to be followed to and from such building, structure or place by helicopters, and he may, depending upon local circumstances or the type of helicopter operations undertaken, impose different conditions or institute different restrictions or require different special flight procedures to be adopted in respect of different buildings, structures or places, and if circumstances require he may amend or cancel any condition, restriction or special flight procedure or route, or impose any further condition or institute any further restriction or require any further special flight procedure to be adopted.

11. Balloons

11.1 No captive or unmanned free balloons shall be flown in the Republic except with the special permission in writing from the Executive Director and subject to such conditions as he may deem necessary in the

interest of air traffic safety. Provided that at the time of granting such permission in respect of any such balloon, or at any time subsequently, he may exempt the said balloon from all or any of the provisions of these regulations, or determine that the said provision or provisions shall apply to the said balloon subject to such conditions as he may think fit.

11.2 No manned free balloon shall be flown within controlled airspace, unless:

- a) it carries radio communication equipment capable of maintaining two-way communication with the responsible air traffic control unit;
- b) prior permission to enter the controlled airspace has been obtained from the responsible air traffic control unit; and
- c) two-way radio communication and a continuous radio watch is maintained while the balloon is flown within the controlled airspace.

12. Captive and Unmanned Free Balloons, Kites, and Remotely Piloted Aircraft

12.1 No person shall, without the written permission of the Executive Director and under any conditions which the Director may determine, operate a Kite, Remotely Piloted Aircraft, Captive or Unmanned Balloon:

- a) higher than 150 feet above the surface;
- b) within a published control zone, air traffic zone or air traffic area; or
- c) closer than 5NM from the boundary of an aerodrome

13. Rockets

13.1 No person shall fire a rocket within published controlled or advisory airspace or air routes.

13.2 No person, without the written permission of the Executive Director and under such conditions which the Executive Director may determine, shall fire a rocket in airspace other than controlled or advisory airspace, if the rocket will, or is likely to:

- a) exceed a height of 2000FT above the surface; and
- b) be fired closer than 5NM from an aerodrome boundary

14. OPERATIONS IN CONTROLLED AIRSPACE

14.1 GENERAL

14.1.1 This section sets out the pilot action and related ATS activity in civil and military controlled airspace.

14.1.2 For flight in close proximity to the boundary of controlled airspace, separation is not provided with traffic operating outside controlled airspace.

14.2 AIR TRAFFIC CLEARANCES AND INSTRUCTIONS

14.2.1 Except in an emergency, a clearance is required for all flights in Classes A, C, and D airspace.

14.2.2 Where the airspace classification and flight rules require, an aircraft must not enter controlled airspace without a clearance. The pilot is responsible for obtaining a clearance and, once obtained, must not amend a planned route, deviate from the cleared track, or change level without obtaining ATC approval. When determining where the clearance request will be made, the pilot should consider aircraft performance, the possibility of frequency congestion if the airspace is known to be busy, the possibility of changes to route and/or level, and the possible delays that might be incurred when clearances have to be coordinated with adjacent ATC sectors.

14.2.3 When clearance has been issued to deviate from the cleared route due weather, the pilot must advise ATC when the weather deviation is no longer required, or when the weather deviation has been completed and the aircraft has returned to its cleared route. Further deviations from route will require a new clearance.

14.2.4 Aircraft planned on RNAV 5 routes within the Windhoek FIR can expect clearance to the next enroute waypoint when clear of weather.