

SWAZILAND GOVERNMENT GAZETTE EXTRAORDINARY

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CIVIL AVIATION AUTHORITY ACT, 2009  
(Act No. 10 of 2009)

CIVIL AVIATION (PARACHUTE OPERATIONS) REGULATIONS, 2011  
(Under section 104)

ARRANGEMENT OF REGULATIONS

PART I  
PRELIMINARY

1. Title.
2. Interpretation.
3. Application

PART II  
PARACHUTING PERSONNEL

*Parachute Jumping*

4. Eligibility requirements
5. Authorization types
6. Skill requirements

*General requirements*

7. Conditions of authorization
8. Descent requirements
9. Aircraft used for parachute jumping
10. Pilot experience and training requirements
11. Validity and renewal requirements

12. Visiting foreign parachuting jumpers

*Parachute Rigger*

- 13. Parachute rigger authorization requirements
- 14. Issue of parachute rigger authorization
- 15. Restrictions and limitations of parachute rigger authorization
- 16. Experience, knowledge and skill requirements
- 17. Authorization requirements for current or former military parachute rigger
- 18. Performance standards
- 19. Records to be kept by parachute rigger
- 20. Privileges
- 21. Validity and renewal requirements

PART III

PARACHUTE OPERATIONS CERTIFICATE

*General*

- 22. Certificate requirements
- 23. Application for parachute operations certificate
- 24. Amendment of a parachute operations certificate
- 25. Validity of a parachute operations certificate
- 26. Parachute operations manual
- 27. Designation of a safety and training personnel

PART IV

OPERATING RULES

- 28. Use of drugs or alcohol
- 29. Hazard

- 30. Exit from an aircraft
- 31. Minimum parachute activation altitude
- 32. Parachute drop zone
- 33. Parachute landing area
- 34. Ground signal
- 35. Controlled airspace
- 36. Descents onto manned aerodromes
- 37. Descents onto unmanned aerodromes
- 38. Descents within restricted areas
- 39. Visibility and clearance from cloud
- 40. Descents from higher altitudes
- 41. Parachute operations over or into a congested area or an open-air assembly of persons

#### PART V

#### PARACHUTE EQUIPMENT AND FACILITIES

- 42. Parachutes
- 43. Altimeter
- 44. Automatic activation devices
- 45. Safety equipment

#### PART VI

#### PARACHUTE MAINTENANCE

- 46. Facilities and equipment requirements
- 47. Airworthiness and safety directives
- 48. Parachute serviceability
- 49. Modification and repair
- 50. Parachute assembly check

- 51. Seal
- 52. Parachute records
- 53. Access for inspection

PART VII

GENERAL

- 54. Possession of the certificate, authorization etc.
- 55. Drug and alcohol testing and reporting
- 56. Inspection of licences and certificates
- 57. Change of name
- 58. Change of address
- 59. Replacement of documents
- 60. Certificate suspension and revocations
- 61. Use and retention of certificates and records
- 62. Reports of violation
- 63. Enforcement of directions
- 64. Aeronautical user fees

PART VIII

OFFENCES AND PENALTIES

- 65. Contravention of Regulations
- 66. Offences and penalties

PART IX

EXEMPTION

- 67. Requirements for application.
- 68. Substance of the request for exemption.  
*Review, publication and issue or denial of the exemption*
- 69. Initial review by the Authority.

## 70. Evaluation of the request

## PART X

## TRANSITION AND SAVINGS

## 71. Transition and savings

## Schedule: Penalties

## PART I

## PRELIMINARY

In exercise of the powers conferred by section 104 of the Civil Aviation Authority Act, 2009, the Minister of Public Works and Transport makes the following regulations-

***Citation and commencement***

1. These regulations may be cited as the Civil Aviation Authority (Parachute Operations) Regulations, 2011, and shall come into force on the date of publication in the Gazette.

***Interpretation***

2. In these regulations, unless the context otherwise requires, words or expressions used in the Act have the same meaning as in these Regulations, and-

“approved parachute” means a parachute manufactured under a type certificate or a technical standard order (C-23 series);

“altimeter” means a visually read instrument for measuring height throughout descent;

“automatic activation device” means a self-contained mechanical or electro-mechanical device that is attached to the interior of the reserve parachute container, which automatically initiates parachute deployment of the reserve parachute at a pre-set altitude, time, percentage of terminal velocity or a combination;

“drop zone” means any pre-determined area upon which parachutists or objects land after making an intentional parachute jump or drop;

“freefall” means the portion of a parachute jump or drop between aircraft exit and parachute deployment in which the parachute is activated manually by the parachutist at the parachutist’s discretion or automatically, or in the case of an object, is activated automatically;

“jumper” means an experienced parachute jumper who may make descents without the supervision of an instructor;

“jump master” means an experienced jumper certified as capable of supervising students in aircraft and on static line and free fall jumps;

“main parachute” means a parachute worn as the primary parachute used or intended to be used in conjunction with a reserve parachute;

“object” means any item other than a person that descends to the surface from an aircraft in flight when a parachute is used or is intended to be used during all or part of the descent;

“parachute drop” means the descent of an object to the surface from an aircraft in flight when a parachute is used or intended to be used during all or part of that descent;

“parachute jump” means a parachute operation that involves the descent of one or more persons to the surface from an aircraft in flight when an aircraft is used or intended to be used during all or part of that descent;

“parachute operation” means the performance of all activity for the purpose of or in support of a parachute jump or a parachute drop; this parachute operation can involve, but is not limited to, the following persons: parachutist,

parachutist in command and passenger in tandem parachute operations, drop zone or owner or operator, jump master, certificated parachute rigger or pilot;

“parachute rigger” means a person who is authorized to pack, maintain or alter any parachute in conformity with manufacturer’s instructions;

“parachutist” means a person who intends to exit an aircraft while in flight using a single-harness, dual parachute system to descend to the surface;

“passenger parachutist” means a person who boards an aircraft, acting as other than the parachutist in command of a tandem parachute operation, with the intent of exiting the aircraft while in-flight using the forward harness of a dual harness tandem parachute system to descend to the surface;

“tandem master” means experienced jump master trained in tandem operation who is in control of the passenger and tandem parachute equipment;

“pilot chute” means a small parachute used to initiate or accelerate deployment of a main or reserve parachute;

“ram-air parachute” means a parachute with a canopy consisting of an upper and lower surface that is inflated by ram air entering through specially designed openings in the front of the canopy to form a gliding airfoil;

“reserve parachute” means an approved parachute worn for emergency use to be activated only upon failure of the main parachute or in any other emergency where use of the main parachute is impractical or use of the main parachute would increase risk;

“single-harness, dual parachute system” means the combination of a main parachute, approved reserve parachute, and approved single person harness and dual-parachute container; this parachute system may have an operational automatic activation device installed;

“static line jump” means a parachute jump where there is static line attached to the aircraft and which the jumpmaster activates manually to deploy the student’s parachute after exit from the aircraft;

“student jumper” means a parachute jumper who is only allowed to make descents under the supervision of an instructor;

“tandem parachute operation” means a parachute operation in which more than one person simultaneously uses the same tandem parachute system while descending to the surface from an aircraft in flight;

“tandem parachute system” means the combination of a main parachute, approved reserve parachute and approved harness and dual parachute container and a separate approved forward harness for a passenger parachutist; this parachute system must have an operational automatic activation device installed.

***Application***

3. These Regulations shall apply to-

- (a) parachute operations other than-
  - (i) emergency parachute descents; and
  - (ii) parachute descents which are not from aircraft;
- (b) parachute equipment; and
- (c) parachute maintenance.

**PART III**

**PARACHUTE PERSONNEL**

***Eligibility requirements***

4. (1) An applicant for a parachute jumping authorization shall-
- (a) be at least 18 years of age;
  - (b) be able to read, speak and understand the English language;
  - (c) demonstrate a level of knowledge appropriate to the privileges granted to a holder of a parachute jumping authorization; and

- (d) comply with the provisions of these Regulations that apply to the parachute jumping authorization sought.

(2) In addition to the requirements of sub-regulation (1), an applicant for a tandem master authorization shall hold a class 2 medical certificate.

***Authorization types***

5. The Authority may issue the following types of parachute jumping authorizations-

- (a) student jumper;
- (b) jumper;
- (c) jump master; or
- (d) tandem master.

***Skill requirements***

6. An applicant for-

- (a) a jumper authorization shall have logged not less than 25 jumps and have demonstrated to the Authority competence in the following areas-
  - (i) parachute packing;
  - (ii) obtaining meteorological information;
  - (iii) spotting the drop location from the aircraft;
  - (iv) hand signal communication techniques and procedures; and
  - (v) pre-flight briefing and “dirt diving”.
- (b) a jump master authorization shall have-
  - (i) successfully completed a course of a jump master;
  - (ii) made 500 freefall jumps; and
  - (iii) satisfactorily completed a post course of jump mastering 10 students under supervision of an authorized instructor.
- (c) a tandem master authorization shall be an experienced jumper master, trained in tandem operation and is in control of the passenger and tandem parachute equipment.

***General requirements***

***Conditions of authorization***

7. (1) A holder of a parachute jumping authorization shall maintain a

parachuting logbook of jumps.

(2) Parachute jumping shall be made only at locations approved by the Authority.

(3) Prior to each descent, the jumper or event organizer shall obtain permission from the air traffic control unit responsible for the area of the operation.

(4) In locations with no air traffic control unit, the jumper or event organizer shall obtain permission from the area control centre responsible for the area of the operation.

***Descent requirements***

8. (1) A parachute jumper shall not make or attempt to make a parachute descent unless wearing two airworthy parachutes from exit to activation.

(2) A reserve parachute shall be inspected and packed by an authorized parachute rigger not more than 4 months preceding each jump.

(3) The main parachute may be packed by either the jumper or a parachute rigger.

(4) The minimum altitude from which descents are to be made shall be such that the main canopy is duly opened at an altitude of not less than 2000 feet above ground level.

***Aircraft used for parachute jumping***

9. A parachute descent shall be made only from an aircraft type that has been authorized by the Authority.

***Pilot experience and training requirements***

10. (1) A pilot for the aircraft to be used for parachute jumping shall-

- (a) be a qualified pilot and have a minimum of 200 hours of pilot-in-command time; and
- (b) demonstrate competence to the Authority by performing at least one drop of parachute jumpers.

(2) The demonstration referred to in sub-regulation (1) (b) shall be conducted under supervision of an experienced parachuting pilot who is present in the aircraft during the check flight to ascertain the competence in the dropping operation.

***Validity and renewal requirements***

11. (1) A parachute jump master and tandem master authorization shall be valid for a period of 12 months from the date of issue or renewal.

(2) A holder of a parachute jump master and tandem master authorization may apply for renewal of the authorization if the holder has jump mastered 10 static line students and 5 free fall students within the 6 months preceding the date of application

for renewal.

- (3) A holder of a student and jumper authorization shall not require renewal.

***Visiting foreign parachuting jumpers***

12. (1) A person who holds a parachute jumping authorization issued by another Contracting State and who wishes to engage in parachute jumping in Swaziland may apply to the Authority for recognition and acceptance of their qualification.

(2) Where the Authority recognizes an authorization tendered under sub-regulation (1), the holder shall be exempted from regulations 8 to 17.

(3) A holder of an authorization under this regulation shall not be engaged in instructing students in parachute jumping or tandem operations.

***Parachute Rigger***

***Parachute rigger authorization requirements***

13. An applicant for a parachute rigger authorization shall-

- (a) apply to the Authority on the prescribed form;
- (b) be at least 18 years of age; and
- (c) be able to read, speak, write and understand the English language.

***Issue of parachute rigger authorization***

14. Where the Authority is satisfied that an applicant for a parachute rigger authorization under regulation 13 meets the requirements for issue of that authorization, the Authority may issue the authorization.

***Restrictions and limitations of Parachute Rigger Authorization***

15. (1) No person shall pack, maintain or modify any personnel-carrying parachute intended for emergency use in connection with an aircraft registered in Swaziland unless that person holds an appropriate authorization of the type issued under these Regulations.

(2) Except as provided for by sub-regulation (3), a person shall not pack, maintain or modify any main parachute of a dual parachute pack to be used for intentional jumping from an aircraft registered in Swaziland unless that person has an appropriate parachute rigger authorization issued under these Regulations.

(3) A person who does not hold an appropriate parachute rigger authorization may pack the main parachute of a dual parachute pack that is to be used by that person for intentional jumping.

***Experience, knowledge and skill requirements***

16. Except as provided in regulation 18, an applicant for a parachute rigger authorization shall-

- (a) present evidence satisfactory to the Authority of having packed at least 20 parachutes of each type for which the applicant seeks authorization in accordance with the instructions of the manufacturer and under the supervision of an authorized parachute rigger holding an authorization for that type or a person holding an appropriate military rating;
- (b) provide the Authority with evidence of having passed a knowledge and practical test, to the satisfaction of the Authority by demonstrating the ability to pack and maintain one type of parachute for which the applicant seeks authorization.

***Authorization requirements for current or former military parachute rigger***

17. Notwithstanding regulation 13, the Authority may issue to an applicant for a parachute rigger authorization if the applicant passes a knowledge test on the Regulations pertaining to parachute and parachute rigging and presents satisfactory documentary evidence that the applicant-

- (a) is an employee or former employee of military and within the 12 months preceding the date of application for an authorization has performed as a parachute rigger; and
- (b) has the experience required by regulation 14.

***Performance standards***

18. A holder of a parachute rigger authorization shall not-

- (a) pack, maintain or modify any parachute unless the holder is authorized for that type;
- (b) pack a parachute that is not safe for emergency use;
- (c) pack a parachute that has not been thoroughly dried and aired;
- (d) alter a parachute in a manner that is not specifically authorized by the Authority or the manufacturer;
- (e) pack, maintain or modify a parachute in any manner that deviates from procedures approved by the Authority or the manufacturer of the parachute; or
- (f) exercise the privileges of the authorization unless the holder understands the instructions of the current manufacturer for the operation involved and has performed duties under the authorization for at least 90 days within the preceding 12 months or demonstrated to the Authority the ability to perform those duties.

***Records to be kept by parachute rigger***

19. (1) A holder of parachute rigger authorization shall keep a record of the packing, maintenance and modifications of parachutes performed or supervised.

(2) An authorized parachute rigger who packs a parachute shall enter on the parachute packing record attached to the parachute, the date and place of the packing, a notation of any defects found during any inspection, and shall sign that record with the name and authorization number.

(3) The record required by sub-regulation (1) shall contain, with respect to each parachute worked on, a statement of-

- (a) type and make;
- (b) serial number;
- (c) the name and address of the owner or user of the parachute;
- (d) the kind and extent of the work performed;
- (e) date when, and the place where the work was performed; and
- (f) the results of any drop tests made with it.

(4) A person who makes a record under sub-regulation (1) shall keep that record for at least 2 years after the date the record is made.

***Privileges***

20. A holder of a parachute rigger authorization may-

- (a) pack, maintain or modify any type of parachute for which he or she is authorized; and
- (b) supervise other persons in packing, maintaining or modifying any type of parachute for which the holder of authorization is authorized.

***Validity and renewal requirements***

21. (1) A parachute rigger authorization shall be valid for a period of 24 months from the date of issue or renewal.

(2) A holder of a parachute rigger authorization may apply for renewal of the authorization if the holder has packed at least 36 reserves parachutes within the 12 months preceding the date of application for renewal.

PART III  
PARACHUTE OPERATIONS CERTIFICATE

***General******Certificate requirements***

22. (1) No person shall conduct parachute operations unless that person-

- (a) holds a parachute operations certificate;
- (b) complies with the privileges and limitations of the authorization;

- (c) complies with operational standards and procedures contained in the parachute operations manual approved by the Authority; and
- (d) complies with the currency requirements determined by the Authority.

(2) No person shall conduct parachute operations unless there is available for use a parachute operations manual approved by the Authority.

(3) In this Part, “person” includes an association, organization or club.

***Application for Parachute operations certificate***

23. (1) An applicant for a parachute operations certificate shall complete and submit an application form prescribed by the Authority which shall include the following information-

- (a) the radius of the drop zone around the target expressed in nautical miles;
- (b) the location of the centre of the drop zone in relation to the nearest airport, town or city;
- (c) each altitude above mean sea level at which the aircraft will be operated when parachutists or objects exit the aircraft;
- (d) the name, address, and telephone number of the person who requests the authorization or gives notice of the parachute operation; and
- (e) the name of the air traffic control facility with jurisdiction of the airspace at the first intended exit altitude to be used for the parachute operation.

(2) The Authority may issue a parachute operations certificate if an applicant meets the requirements of these Regulations

***Amendment of a parachute operations certificate***

24. (1) A parachute operations certificate may be amended-

- (a) on the initiative of the Authority, under applicable laws and regulations; or
- (b) upon application by the holder of that authorization.

(2) A holder of an authorization shall submit an application to amend an authorization by completing a form prescribed by the Authority.

(3) An applicant for an amendment under this regulation shall file the application to amend an authorization before the date of the proposed commencement of that operation.

(4) The Authority shall grant a request to amend an authorization if it determines that it is in interest of flight safety or in public interest.

***Validity of a parachute operations certificate***

25. (1) A parachute operations certificate shall be valid for a period specified in the certificate from the date of issue but in any case not more than 12 months unless-

- (a) a shorter period is specified by the Authority;
- (b) the Authority amends, suspends, revokes or otherwise terminates the certificate;
- (c) the certificate holder surrenders it to the Authority; or
- (d) the certificate holder suspends operations.

(2) The holder of a certificate that is suspended or revoked shall return it to the Authority.

***Parachute operations manual***

26. (1) A parachute operations certificate holder shall issue to the parachute members and persons assigned parachute operational functions, an operations manual which shall contain at least the following-

- (a) introduction and common abbreviations;
- (b) basic safety requirements;
- (c) student training syllabus;
- (d) skills programme;
- (e) formation parachuting rules;
- (f) artistic events;
- (g) canopy formation;
- (h) camera persons;
- (i) tandem operations;
- (j) extra ordinary activities;
- (k) wing suits;
- (l) jump master certification course syllabus;
- (m) rigging rules;
- (n) drop zone and landing area operating procedures;
- (o) briefings for new jumpers; and
- (p) miscellaneous forms.

(2) The operations manual referred to in sub-regulation (1) shall be

amended or revised as is necessary to ensure that the information contained in the manual is kept up to date, and all amendments or revisions shall be issued to all personnel that are required to use the operations manual.

(3) A parachute operations certificate holder shall submit to the Authority a copy of the entire operations manual of the authorization holder for the time being in force or of parts of the manual as the Authority may specify.

(4) A parachute operations certificate holder shall make such amendments or additions to the operations manual as the Authority may require for the purpose of ensuring the safety of parachute jumpers and parachute passengers carried, efficiency or regularity of air navigation.

***Designation of a safety and training personnel***

27. A parachute operations certificate holder shall, designate for each drop zone operation, in writing, a safety and training personnel who shall be in-charge of all operations with the following minimum qualifications-

- (a) a qualified experienced jump master with a minimum of 1000 free fall jumps and at least 2 years experience in parachute operations; and
- (b) shall have successfully completed training in safety and parachute operating procedures recognized by the Authority.

**PART IV  
OPERATING RULES**

***Use of drugs or alcohol***

28. No person shall engage in parachute jumping, and no pilot in command of an aircraft may allow a person to engage in parachute jumping from that aircraft if that person is or appears to be under the influence of alcohol or any drug that affects the faculties of that person in any way contrary to safety.

***Hazard***

29. No person shall make a parachute descent if that descent constitutes or is likely to constitute, a safety hazard to air traffic, persons or property in the air or on the ground, the aircraft concerned or its occupants.

***Exit from an aircraft***

30. No person shall exit from an aircraft to make a parachute descent unless authorized to do so by the pilot in command or a person nominated by a pilot in command for that purpose.

***Minimum parachute activation altitude***

31. A person making a parachute descent shall activate the main parachute at a height not less than 2,500 feet above ground level, except for-

- (a) a student parachutist, who shall activate the main parachute at not less than 3,000 feet above ground level; or
- (b) a tandem jump master carrying out a tandem parachute descent, which shall activate the main parachute at not less than 5,000 feet above ground level.

***Parachute drop zone***

32. A parachute descent, except emergency and display parachute descents shall be made within a parachute drop zone designated by the parachute operations certificate holder and approved by the Authority.

***Parachute landing area***

33. (1) A person making a parachute descent shall land on a parachute landing area designated by the parachute operations certificate holder and approved by the Authority

(2) Simultaneous parachute and aircraft movements may be conducted at aerodromes if the parachute landing area is located clear of-

- (a) any movement area in use;
- (b) the strip area of any runway in use;
- (c) a taxiway which is in use; and
- (d) the approach and take-off areas of any runway or heliport in use.

(3) No person shall make a parachute descent into water unless the parachute landing area has a clearly defined perimeter and adequate arrangements have been made to retrieve all parachutists.

***Ground signal***

34. No person shall make a parachute descent unless a ground signal, consisting of a white circle with an attached cone pointing into the wind is displayed or a sensitive and conspicuous calibrated windsock shall be used.

***Controlled airspace***

35. No person shall make a parachute descent in a controlled airspace unless that person obtains an air traffic control clearance and descends in accordance with that clearance.

***Descents onto manned aerodromes***

36. No person shall make a parachute descent onto an aerodrome unless that person-

- (a) has prior approval from the owner or operator of the aerodrome;
- (b) obtains clearance from the air traffic control unit at the aerodrome;

and

- (c) lands within the parachute landing area.

***Descents onto unmanned aerodromes***

37. (1) No person shall make a parachute descent onto an unmanned aerodrome unless that person-

- (a) has prior approval from the owner or operator of the aerodrome;
- (b) observes other aerodrome traffic operating within the parachute descent zone for the purpose of avoiding collision;
- (c) conforms with or avoids the pattern of traffic formed by other aircraft operating within the parachute descent zone at the aerodrome; and
- (d) lands within the parachute landing area.

***Descents within restricted areas***

38. No person shall make a parachute descent within a restricted area unless that person has prior approval of the controlling authority specified for that area.

***Visibility and clearance from cloud***

39. (1) Except as provided in sub-regulation (2) no person shall make a parachute descent unless that person remains clear of cloud.

(2) No person shall make a parachute descent through cloud in a controlled airspace unless that person has obtained an air traffic control clearance to do so.

***Descents from higher altitudes***

40. (1) No person shall make a parachute descent from an un-pressurized aircraft unless-

- (a) when between altitudes of 10,000 feet above mean sea level and 13,000 feet above mean sea level for longer than 30 minutes, use supplementary oxygen until immediately prior to exiting the aircraft; and
- (b) when between altitudes of 13,000 feet above mean sea level and 20,000 feet above mean sea level, use supplementary oxygen until immediately prior to exiting the aircraft.

(2) No person shall make a parachute descent from a pressurized aircraft when between altitudes of 13,000 feet above mean sea level and 20,000 feet above mean sea level unless that person uses supplementary oxygen during the period from immediately prior to depressurization to immediately prior to exiting the aircraft.

(3) No person shall make a parachute descent from altitudes above 13,000 feet above mean sea level unless that person has satisfactorily completed a training course

for high altitude descents.

(4) No person shall make a parachute descent from altitudes above 20,000 feet above mean sea level unless that person uses supplementary oxygen from immediately prior to depressurization, or from immediately after disconnection from any aircraft mounted supplementary oxygen system, until descent below an altitude of 13,000 feet above mean sea level.

***Parachute operations over or into a congested area or an open-air assembly of persons***

41. No person shall conduct a parachute jumping operation, and no pilot in command of an aircraft shall allow a parachute operation to be conducted from that aircraft, over or into a congested area of a city, town or settlement or an open-air assembly of persons unless an approval for that parachute jumping operation has been issued under these Regulations.

**PART V  
PARACHUTE EQUIPMENT AND FACILITIES**

***Parachutes***

42. (1) No person or tandem pair shall make a parachute descent unless equipped with a main parachute that complies with the technical standards order of the parachute manufacturer.

(2) No person or tandem pair shall make a parachute descent unless equipped with a reserve parachute assembly which-

- (a) complies with the technical standards of a parachute organization; and
- (b) has been inspected, re-packed and certified as airworthy within the previous 6 months by a parachute rigger in accordance with the technical standards of a parachute organization.

(3) No tandem rider shall make a parachute descent unless that tandem rider wears a harness which-

- (a) complies with the technical standards of a parachute organization; and
- (b) is properly secured to a marching tandem master harness.

***Altimeter***

43. No person or tandem pair shall make a free-fall descent of more than 10 seconds unless-

- (a) the person or tandem pair is equipped with, and use, a serviceable altimeter of a type suitable for parachuting; and
- (b) prior to take-off; zero the altimeter to the parachute landing area height.

***Automatic activation devices***

44. No person or tandem pair shall make a parachute descent unless equipped with an automatic activation device on the reserve parachute, that has been-

- (a) certified as compatible with the reserve parachute assembly on the parachute assembly packing-record by a parachute rigger authorized by the parachute organization or institution designated by the Authority;
- (b) calibrated in accordance with the operating instructions of the manufacturer;
- (c) set to operate the reserve parachute at a minimum height above the parachute landing area (PLA)-
  - (i) for an individual parachute descent, 1,000feet above ground level or such lower altitude as predetermined and set within the automatic activation device by the manufacturer of such device for the category of use; and
  - (ii) for a tandem parachute descent, 2 000 feet above ground level or such lower altitude as predetermined and set within the automatic activation device by the manufacturer of such device for use on tandem descents;
- (d) inspected by the parachute rigger in accordance with the instructions of the manufacturer; and
- (e) check-calibrated within the previous 6 months.

***Safety equipment***

45. (1) No person shall make a parachute descent into water unless he or she wears suitable floatation equipment capable of supporting the head of that person clear of the water.

(2) No student parachutist shall make a parachute descent within 1 nautical mile of a water hazard unless the student wears suitable floatation equipment capable of supporting that person's head clear of the water.

(3) No student parachutist shall make a parachute descent unless the student wears a serviceable, rigid, protective helmet of a type approved by the parachute organization.

(4) No tandem pair shall make a parachute descent unless equipped with protective head gear approved by the parachute organization.

PART VI

PARACHUTE MAINTENANCE

***Facilities and equipment requirements***

46. A holder of a parachute rigger authorization shall not exercise the privileges of the authorization unless the holder has at least the following facilities and equipment available-

- (a) a smooth surface;
- (b) suitable housing that is adequately lighted and ventilated for drying and airing parachutes;
- (c) enough packing tools and other equipment to pack and maintain the types of parachutes serviced; and
- (d) adequate housing facilities to perform applicable duties and to protect tools and equipment.

***Air-worthiness and safety directives***

47. A person who intends to use a parachute for jumping shall ensure that the parachute complies with-

- (a) applicable airworthiness directives issued by the Authority;
- (b) applicable safety directives issued by the parachute operations certificate holder; and
- (c) mandatory modifications or instructions issued by the manufacturer.

***Parachute serviceability***

48. (1) A person who finds a parachute assembly to be unserviceable or not airworthy shall have the assembly-

- (a) re-inspected and returned to a serviceable and airworthy condition; or
- (b) withdrawn from service.

(2) No person shall return to service a parachute assembly that has been marked as unserviceable until it has been re-inspected and returned to serviceable and airworthy condition before use.

***Modification and repair***

49. No person shall use a parachute or harness and container system that has been modified or repaired, in a manner that may affect the airworthiness of the parachute assembly, unless it is re-inspected and re-assessed by a parachute rigger in accordance with the technical standards order of the manufacturer.

***Parachute assembly check***

50. (1) Except as provided by provisions of sub-regulations (2) and (3), no person shall make a parachute descent unless that person has checked the state of serviceability of the parachute assembly by-

- (a) reference to the assembly packing record for the parachute assembly;
- (b) a comprehensive external check;

- (c) checking that all the equipment is properly set to operate;
- (d) ensuring that no item being carried will interfere with the proper functioning of the parachute assembly; and
- (e) ensuring that the seal is not broken or interfered with.

(2) For student parachutists, the person authorized by the parachute organization to directly supervise the descent of the student shall inspect the equipment being worn by the student in accordance with sub-regulation (1).

(3) For tandem riders, the tandem master shall inspect the equipment being worn by the tandem passenger in accordance with sub-regulation (1).

***Seal***

51. (1) An authorized parachute rigger shall have a seal with an identifying mark and a seal press prescribed by the Authority.

(2) After packing a parachute, the parachute rigger shall seal the pack with a seal referred to in sub-regulation (1) in accordance with the recommendation of the manufacturer for that type of parachute.

***Parachute records***

52. (1) An owner of a parachute assembly shall maintain a permanent record of which shall be kept in the assembly at all times, in-

- (a) a logbook; or
- (b) a separable log page, approved by the parachute operations certificate holder.

(2) The owner referred to in sub-regulation (1) shall make the record available for inspection when required by an authorized officer, inspector or authorized person.

***Access for inspection***

53. A holder of a parachute operations certificate shall for the purpose of inspection to determine compliance with applicable regulations and requirements-

- (a) grant the Authority unrestricted access to any of its organizations, facilities and aircraft; and
- (b) ensure that the Authority is granted unrestricted access to any organization or facilities that it has contracted for services associated with parachute operations and maintenance.

PART VII  
GENERAL.

***Possession of the certificate, authorization etc.***

54. A holder of a certificate or authorization or other document issued by the

Authority under these Regulations shall have it in his or her physical possession or at the work site when exercising the privileges of that certificate, authorization or such other document.

***Drug and alcohol testing and reporting***

55. (1) A person who performs any function requiring an authorization prescribed by these Regulations may be tested for drug or alcohol usage.

(2) Where the Authority or any person authorized by the Authority wishes to test a person referred to in sub regulation (1) for the percentage by weight of alcohol in the blood, or for the presence of narcotic drugs, marijuana, or depressant or stimulant drugs or substances in the body, and that person-

- (a) refuses to submit to the test; or
- (b) having submitted to the test, refuses to authorize the release of the test results,

the Authority may suspend or revoke the certificate or authorization issued by the Authority.

(3) In determining whether to suspend or revoke the authorization of the holder, the Authority shall consider all relevant factors, including-

- (a) whether the authorization holder had knowledge of the drug or alcohol use;
- (b) whether the authorization holder encouraged the person to refuse the drug or alcohol test;
- (c) whether the authorization holder dismissed the person who failed or refused the drug tests; or
- (d) the position that person held with the authorization holder.

(4) The Authority shall require the certificate or authorization holder to show cause why that person should not be dismissed from the employment of the certificate or authorization holder.

(5) A person who is convicted, whether in or outside Swaziland, for any offence relating to the growing, processing, manufacture, sale, disposition, possession, transportation, or importation of narcotic drugs, marijuana or depressant or stimulant drugs or substances, shall be dismissed from the employment of the certificate or authorization holder.

(6) The Authority may suspend or revoke the certificate or authorization of a holder that refuses to dismiss from its employment a person convicted under sub regulation (5).

***Inspection of licences and certificates***

56. A person who holds a licence, certificate, authorization or other document required by these Regulations shall present it for inspection upon a request from the Authority or any person authorized by the Authority.

***Change of name***

57. (1) A holder of a certificate, authorization or other document issued under these Regulations may apply to change the name on the certificate, authorization or other document.

(2) The holder shall include with any such request-

- (a) the certificate, authorization or other document sought to be amended; and
- (b) a court order or other legal document verifying the name change;

(3) The Authority may change the certificate, authorization or other document and issue a replacement.

(4) The Authority shall return to the holder the original documents specified in sub-regulation 2(b) and retain copies and return the replaced certificate or authorization with the appropriate endorsement.

(5) A certificate, authorization or other document issued to a person under these Regulations is not transferable.

***Change of address***

58. (1) A holder of a certificate or authorization issued under these Regulations shall notify the Authority of the change in the physical and mailing address and shall do so in the case of-

- (a) physical address, at least 14 days in advance; and
- (b) mailing address, upon the change;

(2) A person who fails to notify the Authority of the change in the physical address within the time frame specified in sub-regulation (1) shall not exercise the privileges of the certificate or authorization.

***Replacement of documents***

59. A person may apply to the Authority in the prescribed form for replacement of documents issued under these Regulations if the documents are lost or destroyed

***Certificate suspension and revocation***

60. (1) The Authority may, where it considers it to be in the public interest, suspend provisionally, pending further investigation, any certificate, authorization or such other document issued, granted or having effect under these Regulations.

(2) The Authority may, upon the completion of an investigation which has shown sufficient ground to its satisfaction and where it considers it to be in the public interest, revoke, suspend, or vary any certificate, authorization or such other document

issued or granted under these Regulations.

(3) The Authority may, where it considers it to be in the public interest, prevent any person from parachuting.

(4) A holder or any person having the possession or custody of any certificate, authorization or other documents which has been revoked, suspended or varied under these Regulations shall surrender it to the Authority within 14 days from the date of revocation, suspension or variation.

(5) The breach of any condition subject to which any certificate, authorization or such other document has been granted or issued under these Regulations shall render the document invalid during the continuance of the breach.

***Use and retention of certificates and records***

61. (1) No person shall-

- (a) use any certificate, authorization or other document issued or required by or under these Regulations which has been forged, altered, revoked or suspended or to which the person is not entitled;
- (b) forge or alter any certificate, authorization or other document issued or required by or under these Regulations;
- (c) lend any certificate, authorization or other document issued or required by or under these Regulations to any other person; or
- (d) make any false representation for the purpose of procuring for that person or any other person the issue renewal or variation of any certificate, authorization or such document.

(2) During the period for which a record is required under these Regulations to be preserved, no person shall mutilate, alter, render illegible or destroy any records or any entry made in the records required by or under these Regulations to be maintained or knowingly make or procure or assist in the making of, any false entry in that record or willfully omit to make a material entry in such record.

(3) A record required to be maintained by or under these Regulations shall be recorded in a permanent and indelible material.

(4) No person shall purport to issue any certificate or authorization under these Regulations unless he or she is authorized to do so by the Authority.

(5) No person shall issue any certificate or authorization of the kind referred to in sub-regulation (4) unless that person is satisfied that all statements in the certificate or authorization are correct, and that the applicant is qualified to hold that certificate or authorization.

***Reports of violation***

62. (1) A person who knows of a violation of the Civil Aviation Authority Act, or any regulation or order issued under the Act shall report it to the Authority.

(2) The Authority will determine the nature and type of any additional investigation or enforcement action that need be taken.

***Enforcement of directions***

63. A person who fails to comply with any direction given to that person by the Authority or by any authorized person under any provision of these Regulations shall be deemed for the purposes of these Regulations to have contravened that provision.

***Aeronautical user fees***

64. (1) The Authority may notify the fees to be charged in connection with the issue, renewal, extension or variation of any certificate or authorization or other document, including the issue of a copy or the undergoing of any examination, test, inspection or investigation required by or for the purpose of these Regulations any orders, notices or proclamations made under these Regulations.

(2) Upon an application being made in connection with which any fee is chargeable in accordance with the provisions of sub-regulation (1), the applicant shall be required, before the application is entertained, to pay the fee so chargeable.

(3) If, after that payment has been made, the application is withdrawn by the applicant or otherwise ceases to have effect or is refused, the Authority shall not refund the payment made.

PART VIII  
OFFENCES AND PENALTIES

***Contravention of Regulations***

65. A person who contravenes any provision of these Regulations may have his or her certificate, authorization or such other document revoked or suspended.

***Offences and penalties***

66. (1) If any provision of these Regulations, orders, notices or proclamations made under these regulations is contravened in relation to an aircraft, the operator of that aircraft and the pilot in command, if the operator or the pilot in command is not the person who contravened that provision shall, without prejudice to the liability of any other person under these Regulations for that contravention, be deemed to have contravened that provision unless the operator or pilot in command proves that the contravention occurred without their consent or connivance and that all due diligence was exercised to prevent the contravention.

(2) A person who contravenes any provision specified as an “A” provision in the Schedule commits an offence and is liable on conviction to a fine not exceeding fifty thousand Emalangeni for each offence or each flight or to imprisonment for a term not exceeding one year or to both.

(3) A person who contravenes any provision specified as a “B” provision in the Schedule commits an offence and is liable on conviction to a fine not exceeding one hundred thousand Emalangeni for each offence or each flight or to imprisonment for a term not exceeding three years or to both.

(4) A person who contravenes any provision of these Regulations not being a provision referred to in the Schedule, commits an offence and is liable on conviction to a fine not exceeding one hundred thousand Emalangeni, and in the case of a second or subsequent conviction for a similar offence to a fine not exceeding two hundred thousand Emalangeni.

## PART IX EXEMPTIONS

### ***Requirements for application.***

67. (1) A person may apply to the Authority for an exemption from any of these Regulations.

(2) An application for an exemption shall be submitted at least 60 days in advance of the proposed effective date, to obtain timely review.

(3) A request for an exemption shall contain the applicant’s-

- (a) name;
- (b) physical address and mailing address;
- (c) telephone number;
- (d) fax number, if available; and
- (e) email address, if available.

(4) The application shall be accompanied by a fee specified by the Authority.

### ***Substance of the request for exemption.***

68. (1) An application for an exemption shall contain the following-

- (a) a citation of the specific requirement from which the applicant seeks exemption;
- (b) an explanation of why the exemption is needed;
- (c) a description of the type of operations to be conducted under the proposed exemption;
- (d) the proposed duration of the exemption;
- (e) an explanation of how the exemption would be in the public interest, that is, benefits the public as a whole;
- (f) a detailed description of the alternative means by which the applicant will ensure a level of safety equivalent to that established by the regulation in question; and

- (g) a review and discussion of any known safety concerns with the requirement, including information about any relevant accidents or incidents of which the applicant is aware.

(2) Where the applicant seeks emergency processing, the application shall contain supporting facts and reasons why the application was not timely filed, and the reasons it is an emergency.

(3) The Authority may deny an application if the Authority finds that the applicant has not justified the failure to apply for an exemption on time.

*Review, Publication and Issue or Denial of the Exemption*

***Initial review by the Authority***

69. (1) The Authority shall review the application for accuracy and compliance with the requirements of regulations 67 and 68.

(2) If the application appears on its face to satisfy the provisions of this regulation and the Authority determines that a review of its merits is justified, the Authority will publish a detailed summary of the application either in the Gazette, aeronautical information circular or one local daily newspaper for comment and specify the date by which comments shall be received by the Authority for consideration.

(3) Where the filing requirements of regulations 67 and 68 have not been met, the Authority will notify the applicant and take no further action until the applicant corrects the application and re-files it in accordance with these Regulations.

(4) If the request is for emergency relief, the Authority shall publish the application or the decision of the Authority as soon as possible after processing the application.

***Evaluation of the request***

70. (1) After initial review, if the filing requirements have been satisfied, the Authority shall conduct an evaluation of the request to determine-

- (a) whether an exemption would be in the public interest;
- (b) whether the proposal of the applicant would provide a level of safety equivalent to that established by the regulation, although where the Authority decides that a technical evaluation of the request would impose a significant burden on the technical resources of the Authority, the Authority may deny the exemption on that basis;
- (c) whether a grant of the exemption would contravene the applicable International Civil Aviation Organization Standards and Recommended Practices; and
- (d) whether the request should be granted or denied and of any conditions or limitations that should be part of the exemption.

(2) The Authority shall notify the applicant by letter and publish a detailed summary of its evaluation and decision to grant or deny the request

(3) The summary referred to in sub-regulation (2) shall specify the duration of the exemption and any conditions or limitations of the exemption.

(4) If the exemption affects a significant population of the aviation community of Swaziland the Authority shall publish the summary in aeronautical information circular.

## PART X TRANSITION AND SAVINGS

### *Transition and savings*

71. A valid licence, certificate, permit or authorization issued or granted by the Authority before the commencement of these Regulations shall remain operational until it expires or is revoked, annulled or replaced.

## SCHEDULE (Regulation 70)

### OFFENCES AND PENALTIES

REG. NO	TITLE	PART
7	Conditions of authorization	A
8	Descent requirements	A
9	Aircraft used for parachute jumping	A
10	Pilot experience and training requirements	A
12	Visiting foreign parachute jumpers	A
15	Restrictions and limitations of parachute rigger authorization	B
18	Performance standards	B
19	Records to be kept by a parachute rigger	A
24	Amendment of a parachute operations certificate	A
25	Validity of a parachute operations certificate	A
26	Parachute operations manual	A
27	Designation of safety and training personnel	A

28	Use of drugs or alcohol	B
29	Hazard	A
30	Exit from an aircraft	A
31	Minimum parachute activation altitude	A
32	Parachute drop zone	A
33	Parachute landing area	A
34	Ground signal	A
35	Controlled airspace	A
36	Descents onto manned aerodromes	A
37	Descents onto unmanned aerodromes	A
38	Descents within restricted areas	B
39	Visibility and clearance from cloud	A
40	Descents from higher altitudes	A
41	Parachute operations over or into a congested area or an open air assembly of persons	A
42	Parachutes	A
43	Altimeter	A
44	Automatic activation devices	A
45	Safety equipment	A
46	Facilities and equipment requirements	A
47	Airworthiness and safety directions	B
48	Parachute serviceability	A
49	Modification and repair	A
50	Parachute assembly check	A
51	Seal	B
52	Parachute records	A
53	Access for inspection	A
54	Possession of certificate. Authorization etc	A
55	Drug and alcohol testing and reporting	B
56	Inspection of licences and certificates	A
61	Use and retention of	A

	certificates and records	
62	Reports of violation	A
63	Enforcement of directions	A

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