

PART 104

**RULES OF THE AIR AND GENERAL OPERATING
RULES:
OPERATION OF GLIDERS**

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SUBPART 1**GENERAL****Applicability**

- 104.01.1** (1) This Part shall apply to the operation of gliders and contains -
- (a) in addition to the provisions of the regulations in Part 91, the operating and flight rules relating to such operations; and
 - (b) the exceptions to the general operating and flight rules prescribed in Part 91.
- (2) No person shall use a glider in any commercial air transport operation.

Pilot qualifications

- 104.01.2** No person shall act as pilot-in-command of a glider unless such person -
- (a) is the holder of a valid glider pilot licence issued in terms of Part 61;
 - (b) is the holder of at least valid Class 2 medical certificate issued in terms of Part 67;
 - (c) complies with the privileges and limitations of a glider pilot licence;
 - (d) complies with the competency requirements prescribed for the holder of a glider pilot licence; and
 - (e) is a *bona fide* member of an aviation recreation organisation approved by the Director in terms of Part 149.

Glider launching winches

- 104.01.3** (1) On every winch used for the launching of gliders, a means shall be provided for the severing of the launching cable.
- (2) The means referred to in subregulation (1) shall be subject to the approval of an aviation recreation organisation approved by the Director in terms of Part 149, and shall be so positioned that it can be easily and readily operated by the winch operator.

SUBPART 2**OPERATING RULES****Airworthiness**

- 104.02.1** No person shall operate a glider unless such glider -
- (a) has been issued with an authority to fly in terms of Part 21; and
 - (b) is in an airworthy condition.

Registration

104.02.2 No person shall operate a glider unless it is registered and marked in accordance with, and complies with, the provisions of the regulations in Part 47.

Flight manual

104.02.3 Notwithstanding the provisions of regulation 91.03.2, a person may operate a glider without carrying a current approved flight manual on board.

Maintenance and inspection requirements

- 104.02.4** (1) The pilot-in-command of a glider shall ensure that the glider is in an airworthy condition before the commencement of each flight.
- (2) The owner of a glider shall-
- (a) take such action as is necessary to ensure the continued airworthiness of the glider concerned; and
 - (b) maintain the glider in accordance with the provisions of the regulations in Part 43.

Equipment

104.02.5 Notwithstanding the provisions of the regulations in Subpart 4 of Part 91, no person may operate a glider unless the glider is equipped with the equipment as prescribed in Document NAM-CATS-OPS 104.

SUBPART 3**FLIGHT RULES****Hazardous operations**

104.03.1 No person shall operate any glider in a manner that creates, or is likely to create, a hazard to other persons or property.

Practice for and participation in competition and display flying

104.03.2 The pilot-in-command of a glider may carry out low flying for the purpose of practice for, and participation in, glider competition and display flying: Provided that such operations are -

- (a) authorised by the body or institution designated by the Director in terms of Part 149;
- (b) carried out in accordance with any conditions imposed by such designated body or institution; and
- (c) carried out not lower than 200 feet above the ground and not over any densely inhabited area of a city, town or settlement.

Flight criteria

104.03.3 (1) All glider operations shall be conducted -

- (a) by day, unless the glider is certificated for night flying in terms of Part 21, and the pilot-in-command is the holder of a night rating issued in terms of Part 61;
- (b) in meteorological conditions equal to, or better than, those prescribed as suitable for VFR flight unless otherwise approved by the Director; and

(2) Unless otherwise approved by the Director, no glider operation shall be conducted above FL 195.