

## Namibia: Outdated Civil Aviation Act to Be Replaced



NAMIBIA'S 50-year-old Civil Aviation Act will soon be replaced to pave the way for a Namibian Civil Aviation Authority (NCAA) to take over from the Directorate of Civil Aviation. An outline of the new bill was presented at a meeting in Swakopmund last week by Peter O'Brien, legal advisor of the International Civil Aviation Organisation.

The meeting was opened by the Minister of Works and Transport, Erkki Nghimtina.

In short, the new bill will improve the regulation of civil aviation in Namibia by updating all relevant legislation.

"The 1962 act dates from an entirely different technical and social age. Aircraft and air navigation services were technically different and less complex. Public expectations of safety, reliability and security were lower in the 1960s. The hijacking of aircraft was almost unheard of and the phrase 'unruly passengers' would not be heard for 35 years," said O'Brien.

He added that civil aviation was fast changing on the technical and social front, and that it was for this reason that the regulator of the industry must remain abreast of the developments.

The new bill will be a comprehensive and up-to-date piece of legislation with a set of powers for the regulation of the industry in the interest of public safety and to cover other important related areas such as aviation security and accident and incident investigations.

"People want to be safe when they fly. If not, there will be no business," O'Brien said.

As for the NCAA, O'Brien said it would follow international trends,

and would be autonomous and self-funding.

He added that it would not be established overnight as the right people with the right qualifications would have to be appointed - which would be an expensive investment. The Minister of Works and Transport will be the Director General of the NCAA.

The NCAA will promote, control and regulate civil aviation and security, oversee the functioning and development of the aviation industry, develop and enforce regulations to achieve an integrated, safe, responsive and sustainable transport system. A board of directors will be responsible for the policy, control and management of the NCAA.

Funding will come from money appropriated by Parliament, fees, charges and penalties, licences and revenue for services provided, fuel and passenger levies, airspace overflight and air traffic control revenue.

According to Nghimtina, it is imperative to replace the 50-year-old Act because aviation has changed and become more complex.

"Through this, Namibia wants to position itself to become a leader in civil aviation in Africa," he said

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