

Understanding South Africa's Civil Aviation Regulations Committee (CARCom)



In recent months it has become fairly obvious that there is a disconnect with member sand industry players as to how CARCom works and also the timelines and time delays that must be factored into regulation development. I have taken this opportunity to give some guidance on understanding the process to assist and manage expectations accordingly.

Hopefully it is found to be beneficial

In South Africa's civil aviation regulatory framework, effective engagement between industry and regulator is foundational to safe, practical and internationally aligned rules. At the centre of this consultative and regulatory development ecosystem sits the **Civil Aviation Regulations Committee** — commonly referred to as **CARCom**.

CARCom plays a pivotal albeit often misunderstood role: it is the statutory consultative body that reviews, deliberates and, where appropriate, *recommends amendments to the Civil Aviation Regulations* and supporting technical standards before they are submitted to the Minister of Transport for promulgation.

This article unpacks how CARCom works, its mandate, processes, membership, voting rights, meeting schedules, and limitations. Understanding CARCom is invaluable for aviation stakeholders — from operators and associations to legal advisors and technical specialists — because the process shapes the very rules that govern everyday operations.

1. CARCom's Legal Basis and Mandate

CARCom's authority is rooted in the **Civil Aviation Regulations (CARs)**, promulgated under the **Civil Aviation Act, 2009 (Act No. 13 of 2009)**. The Regulations empower CARCom to function as the chief consultative committee for the development and amendment of regulatory text.

Mandate

The core mandate of CARCom is to:

- Evaluate proposals to **amend or develop Civil Aviation Regulations**.
- Review and consider amendments to **South African Civil Aviation Technical Standards (SA-CATS)**.
- Facilitate industry and regulator dialogue on regulatory content, safety implications, practical effects and implementation impacts.
- Provide formal **recommendations to the Minister of Transport** on amendments to regulations before they are gazetted for public comment or promulgated.

In essence, CARCom acts as the bridge between regulator and industry: ensuring consultations are formalised, technical expertise is harnessed, and regulatory amendments are informed by collective operational experience.

2. Composition: Who Sits on CARCom?

CARCom is designed as a **multi-stakeholder body**, combining regulator officials with industry representatives and subject-matter experts. While specific names change with appointment cycles, key categories include:

- **Representatives from the South African Civil Aviation Authority (SACAA)** — including technical, regulatory and legal personnel.
- **Industry stakeholders** — from operators, associations, technical specialists, maintenance organisations and aviation service providers.
- **Independent experts** — appointed by the Chairperson with subject expertise on specific issues (e.g., avionics, airworthiness, licensing) where necessary.

The **Director of Civil Aviation** appoints the Chairperson of CARCom (and sub-committees) and presides as the senior authority.

Importantly, industry participants bring real-world operational insight into the discussions — ensuring proposed regulatory text is technically sound, implementable and proportional.

3. Terms of Reference (What CARCom Does)

CARCom's terms of reference reflect its **consultative, advisory and deliberative** purpose:

a) Regulatory Review and Amendment

CARCom reviews draft amendments to both:

- The **Civil Aviation Regulations (CARs)**; and
- The **South African Civil Aviation Technical Standards (SA-CATS)**.

This includes reviewing wording, safety implications, unintended consequences, cost burdens, transitional arrangements and technical consistency.

b) Recommendation to Minister

After deliberation, CARCom recommends whether proposed amendments should proceed to the Minister of Transport. Amendments are *not promulgated directly by CARCom* — the Minister retains

sole legislative authority. Regulation after it has passed through the legislative drafting process may change from the CARCom versions recommended so long as they do not substantively change. They are also translated into Afrikaans before publication in the **Government Gazette**.

c) Public Consultation and Gazette Process

CARCom releases proposed draft regulatory changes in the **Government Gazette**, inviting public comment and ensuring transparency in the consultative process.

d) Specialized Technical Input

For particularly technical or specialised proposals, CARCom establishes **sub-committees** (e.g., Aviation Safety Operations, Aviation Security, Fees, Technical Standards) to delve deeper into subject specifics. These sub-committees advise CARCom and refine proposals before full committee review. These **sub-committees** have the authority to directly publish proposals for public comment if required. Additionally, the **sub-committees** may form work groups to work on the proposals and render them complete and fit for submission via the **sub-committee** to CARCom. A chairperson for any work group is appointed by the chair of the **sub-committee** and regular reports must be furnished covering the deliberations and progress.

e) Emergency Regulation Review

In exceptional cases where emergency regulations are promulgated by the Director of Civil Aviation to address immediate safety threats, CARCom must **reconsider such regulations within 90 days** of promulgation, and may propose variations or repeal based on consultation.

4. Meeting Schedule and Frequency

CARCom is required to meet **regularly and frequently**, reflecting the ongoing nature of regulatory oversight:

- The Regulations stipulate that CARCom must meet **as per the TOR for a minimum number of sessions provided there is an agenda (which there always is)** — effectively the calendar of sittings is sent out for the year — at times and places determined by the Chairperson. There are also dates for submissions cutoffs that individuals or associations whom wish to submit proposals, have to adhere to.
- The Chairperson also has authority to call **extraordinary (special) meetings** in the public interest if circumstances demand.

This frequency ensures regulatory development remains active rather than episodic, accommodating the fast-moving nature of aviation safety and technological change.

5. Voting Rights and Decision Making

One of the more misunderstood aspects of CARCom is **decision making and voting rights**.

a) Voting on Recommendations

CARCom deliberates by consensus where possible, reflecting professional dialogue between regulator and industry. Formal **voting procedures are prescribed internally** by the Chairperson, and only those appointed as **members of CARCom** typically hold **voting rights** on recommendations. The chairperson holds a casting vote if there is an impasse.

Experts and ad-hoc technical participants may **participate in discussions but do not have voting rights**.

This ensures votes reflect institutional and appointed representation rather than transient observers.

b) Chairperson's Role

The Chairperson generally presides at each meeting and has significant influence on agenda, procedures and timing. If the Chairperson is absent, members elect a presiding officer for that session.

6. Limitations and Practical Realities of CARCom

While CARCom is a central consultative body, it is not without limitations.

a) Advisory, Not Legislative Authority

CARCom *recommends* changes; it does **not have legislative power** to promulgate regulations. Final authority rests with the **Minister of Transport** and the statutory legislative process — including gazetting for public comment and promulgation.

b) Influence Depends on Participation

The strength of CARCom's advice depends heavily on **active, knowledgeable participation** by industry representatives. Without robust input, technical proposals risk being shaped primarily by regulator drafting rather than balanced operational insight.

c) Workloads and Resource Constraints

Given South Africa's diverse aviation sectors—from general aviation to commercial airlines and emerging UAS technologies—CARCom deals with a broad regulatory workload. Industry expertise is spread thin, and sub-committee processes can be lengthy, affecting the pace of regulatory outcomes.

d) Public Transparency vs. Technical Complexity

While gazetted proposals invite public comment, the technical nature of aviation law means that genuine participation requires specialised legal and technical resources — potentially limiting the depth of contributions from smaller operators.

7. CARCom in Practice: Why Industry Engagement Matters

CARCom's role is vital in translating operational reality into regulatory text. Successful examples — such as the approval of new regulatory parts (e.g., Part 106 for paragliding and hang gliding) — show how structured engagement leads to usable regulations while respecting safety imperatives.

For industry stakeholders, this means:

- **Participating in CARCom or sub-committee meetings** brings operational insight into regulation drafting.
- **Responding to gazetted draft amendments** strengthens deliberation evidence.
- **Providing technical submissions** ensures practical, implementable rules rather than theoretical constructs.

8. End Note

CARCom forms the backbone of South Africa's civil aviation regulatory consultation. Its statutory mandate to review, deliberate, and recommend regulatory amendments ensures that South Africa's aviation safety regime is informed by both technical expertise and operational experience.

However, its effectiveness relies on **robust industry participation**, adequate representation of diverse aviation sectors, and ongoing dialogue between regulator and industry. Recognising how CARCom works — and its limits — empowers stakeholders to engage meaningfully in shaping regulations that affect safety, compliance and the sustainability of aviation businesses across the country.

What needs to be added is **Management of Change**, when and how the regulation will be implemented and the **impact of it both practically and operationally** — including administratively and critically the **economic impact balanced with the safety**.

Balance must be achieved and this aspect is not considered currently.