

THE CIVIL AVIATION ACT
(CAP.)

REGULATIONS

(Made under Section)

THE CIVIL AVIATION (AIR OPERATOR CERTIFICATION AND ADMINISTRATION)
REGULATIONS,

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THE CIVIL AVIATION ACT
(CAP.)

REGULATIONS

(Made under Section)

THE CIVIL AVIATION (AIR OPERATOR CERTIFICATION AND ADMINISTRATION)

REGULATIONS

**PART I
PRELIMINARY PROVISIONS**

- Citation **1.** These Regulations may be cited as the Civil Aviation (Air Operator Certification and Administration) Regulations,
- Interpretation. **2.** In these Regulations, unless the context otherwise requires-
“accountable manager” means the manager who has corporate authority for ensuring that all operations and maintenance activities required by the AOC (Certificate holder) holder can be financed and carried out to the (standard

- required by authority) highest degree of safety standards required by the Authority;
- “aerial work” means an aircraft operation in which an aircraft is used for specialised services including, but not limited to, agriculture, construction, photography, surveying, observation and patrol, search and rescue, and aerial advertisement;
- “aerodrome” means a defined area on land or water, including any buildings, installations and equipment, used or intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft;
- “aeronautical product” means any aircraft, aircraft engine, propeller, or subassembly, appliance, material, part, or component to be installed thereon;
- “aeroplane” means a power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight;
- “aircraft” means any machine that can derive support in the atmosphere from the reactions of the air, other than the reactions of the air against the earth’s surface;
- “aircraft component” means any assembly, item component, part of an aircraft up to and including a complete engine or any operational or emergency equipment;
- “aircraft interchange” means an arrangement between two air operators in which the aircraft of the first air operator is crewed by the crew of the second operator at an interchange point linking their respective routes where operational control is transferred to the second operator for the period of the interchange;
- “aircraft technical log” means a document carried on board an aircraft for recording defects and malfunctions discovered during operation and for recording details of all maintenance carried out whilst the aircraft is operating between scheduled visits to the base maintenance facility. It also contains operating information relevant to flight safety and maintenance data that the operating crew needs to know;
- “aircraft type” means all aircraft of the same basic design;
- “airframe” means the fuselage, booms, nacelles, cowlings, fairings, airfoil surfaces, including rotors but excluding propellers and rotating airfoils of a powerplant, and landing gear of an aircraft and their accessories and controls;
- “air operator certificate (AOC)” means a certificate authorizing an operator to carry out specified commercial air transport operations;
- “Air Traffic Control (ATC)” means a service that promotes the safe, orderly, and expeditious flow of air traffic at aerodromes and during the approach, departure, and en route environments;
- “air traffic control (ATC) facility” means a building holding the persons and equipment responsible for providing ATC services;
- “Approved Training Organisation (ATO)” means an organisation established to conduct aviation training courses as approved by the Authority.
- “appliance” means any instrument, mechanism, equipment, part, apparatus, appurtenance, or accessory, including communications equipment, that is used or intended to be used in operating or controlling an aircraft in flight, is installed in or attached to the aircraft, and is not part of an airframe, powerplant, or propeller;
- “approved maintenance organisation (AMO)” means an organisation approved to perform specific aircraft maintenance activities by the Authority. These activities may include the inspection, overhaul, maintenance, repair and/or modification and release to service of aircraft or aircraft components;

“approved standard” means a manufacturing, design, maintenance, or quality standard approved by the Authority;

“approved training” means training carried out under special curricula and supervision approved by the Authority;

“article” means any item, including but not limited to an aircraft, airframe, engine, propeller, appliance, accessory, assembly, subassembly, system, subsystem, component, unit, product, or part;

“Authority” means the [State] Civil Aviation Authority;

“avionics” means the electronics and electrical systems on aircraft and spacecraft such as the navigation, communications, flight data and control systems;

“balloon” means a non-power-driven lighter-than-air aircraft;

“cabin crew member manual” means a manual containing procedures, instructions and guidance for use by cabin crew members in the execution of their duties;

“calibration” means a set of operations, performed in accordance with a definite documented procedure, that compares the measurement performed by a measurement device or working standard for the purpose of detecting and reporting or eliminating by adjustment errors in the measurement device, working standard, or aeronautical product tested;

“cargo aircraft” means any aircraft carrying goods or property but not passengers; in this context the following are not considered to be passengers-

- (a) a crew member,
- (b) an operator's employee permitted by, and carried in accordance with, the instructions contained in the operations manual,
- (c) an authorised representative of the Authority, or
- (d) a person with duties in respect of a particular shipment on board;

“CDL” means configuration deviation list;

“certificate of release to service” means a certification made by an appropriately licensed or approved personnel relating to aircraft maintenance work that the work has been completed in a satisfactory manner in accordance with the requirements of the applicable Regulations and Standards;

“check pilot” means a pilot approved by the Authority who has the appropriate training, experience, and demonstrated ability to evaluate and certify to the knowledge and skills of other pilots;

“Contracting States” means all States that are signatories to the Convention on International Civil Aviation (Chicago Convention);

“course” means a programme of instruction to obtain a license, rating, qualification, authorisation, or currency;

“dangerous goods incident” means an occurrence, other than a dangerous goods accident, associated with and related to the transport of dangerous goods, not necessarily occurring on board an aircraft, which results in injury to a person, property damage, fire, breakage, spillage, leakage of fluid or radiation or other evidence that the integrity of the packaging has not been maintained; any occurrence relating to the transport of dangerous goods which seriously jeopardises an aircraft or its occupants is deemed to constitute a dangerous goods incident;

“dangerous goods transport document” means a document specified by the ICAO Technical Instructions for the Safe Transportation of Dangerous Goods by Air, and completed by the person who offers dangerous goods for air transport and contains information about those dangerous goods;

“dry lease” means a contractual arrangement where the leased aircraft is operated by flight crew members of the Lessee;

“facility” means a physical plant, including land, buildings, and equipment, which provides the means for the performance of maintenance, preventive maintenance, or modifications of any article;

“flight crew member” means a licensed crew member charged with duties essential to the operation of an aircraft during flight time;

“flight duty period” means the total time from the moment a flight crew member commences duty, immediately subsequent to a rest period and prior to making a flight or a series of flights, to the moment the flight crew member is relieved of all duties having completed such flight or series of flights;

“flight safety documents system” means a set of inter-related documentation established by the operator, compiling and organizing information necessary for flight and ground operations, and comprising, as a minimum, the operations manual and the operator’s maintenance control manual;

“flight time” means-

(a) *for aeroplanes and gliders* the total time from the moment an aeroplane or a glider moves for the purpose of taking off until the moment it finally comes to rest at the end of the flight and it is synonymous with the term “block to block” or “chock to chock” time in general usage which is measured from the time an aeroplane first moves for the purpose of taking off until it finally stops at the end of the flight;

(b) *for helicopter* the total time from the moment a helicopter rotor blades start turning until the moment a helicopter comes to rest at the end of the flight and the rotor blades are stopped; and

(c) *for airships or free balloon* the total time from the moment an airship or free balloon first becomes detached from the surface until the moment when it next becomes attached thereto or comes to rest thereon;

“glider” means a non-power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces, which remain fixed under given conditions of flight;

“ground handling” means services necessary for an aircraft’s arrival at, and departure from, an airport, other than air traffic services;

“handling agent” means an agency which performs on behalf of the operator some or all of the latter’s functions including receiving, loading, unloading, transferring or other processing of passengers or cargo;

“heavier-than-air aircraft” means any aircraft deriving its lift in flight chiefly from aerodynamic forces;

“helicopter” means a heavier-than-air aircraft supported in flight chiefly by the reactions of the air on one or more power-driven rotors on substantially vertical axis;

“holdover time” means the estimated time de-icing or anti-icing fluid will prevent the formation of frost or ice and the accumulation of snow on the protected surfaces of an aircraft; holdover time begins when the final application of de-icing or anti-icing fluid commences and expires when the de-icing or anti-icing fluid applied to the aircraft loses its effectiveness;

“inspection” means the examination of an aircraft or aircraft component to establish conformity with a standard approved by the Authority;

“instrument approach” means an approach procedure prescribed by the Authority having jurisdiction over the aerodrome;

“Interchange Agreement” means a leasing agreement which permits an air carrier to dry lease and take or relinquish operational control of an aircraft to or from another air operator at an airport for a limited duration;

“journey log” means a form signed by the Pilot in Command of each flight that records the aircraft’s registration, crew member names and duty assignments, the type of flight, and the date, place, and time of arrival and departure;

“lighter-than-air aircraft” means any aircraft supported chiefly by its buoyancy in the air;

“maintenance” means tasks required to ensure the continued airworthiness of an

- aircraft or aircraft components including any one or combination of overhaul, repair, inspection, replacement, modification, and defect rectification;
- “Maintenance Control Manual” means a manual containing procedures, instructions and guidance for use by maintenance and concerned operational personnel in the execution of their duties;
- “major modification” means a type design change not listed in the aircraft, engine, or propeller specifications that might appreciably affect the mass and balance limits, structural strength, performance, powerplant operation, flight characteristics, or other qualities affecting airworthiness or environmental characteristics, or that will be embodied in the product according to non-standard practices;
- “major repair” means a repair of an aeronautical product that might appreciably affect the structural strength, performance, powerplant, operation flight characteristics, or other qualities affecting airworthiness or environmental characteristics, or that will be embodied in the product using non-standard;
- “Minimum Equipment List (MEL)” means a list approved by the Authority which provides for the operation of aircraft, subject to specified conditions, with particular equipment inoperative, prepared by an operator in conformity with, or more restrictive than, the master Minimum Equipment List established for the aircraft type by the aircraft manufacturer, and approved by the State of Design;
- “modification” means a change to the type design of an aircraft or aeronautical product which is not a repair;
- “night” means the time between fifteen minutes after sunset and fifteen minutes before sunrise, sunrise and sunset being determined at surface level, and includes any time between sunset and sunrise when an unlighted aircraft or other unlighted prominent object cannot clearly be seen at a distance of 4,572 metres;
- “operator” means a person, organisation or enterprise, engaged in or offering to engage in an aircraft organization;
- “operational control” means the exercise of authority over the initiation, continuation, diversion or termination of a flight in the interest of the safety of the aircraft and the regularity and efficiency of the flight;
- “operational flight plan” means the operator's plan for the safe conduct of the flight based on considerations of aircraft performance, other operating limitations, and relevant expected conditions on the route to be followed and at the aerodromes or heliports concerned;
- “operations manual” means a manual containing procedures, instructions and guidance for use by operational personnel in the execution of their duties;
- “operations specifications ” means a document that contains terms, authorisations, conditions and limitations that facilitate the Authority’s administration of the AOC by ensuring that the Authority and the certificate holder have a mutual and clear understanding of how the certificate holder will conduct its operations;
- “overhaul” means the restoration of an aircraft or aircraft component using methods, techniques, and practices acceptable to the Authority, including disassembly, cleaning, and inspection as permitted, repair as necessary, and reassembly; and testing in accordance with approved standards and technical data, or in accordance with current standards and technical data acceptable to the Authority, which have been developed and documented by the State of Design, holder of the type certificate, supplemental type certificate, or a material, part, process, or appliance approval under Parts Manufacturing Authorisation (PMA) or Technical Standard Order (TSO);
- “overpack” means an enclosure used by a single shipper to contain one or more

- packages and to form one handling unit for convenience of handling and stowage;
- “packaging” means receptacles and any other components or materials necessary for the receptacle to perform its containment function and to ensure compliance with the packing requirements;
- “pilot in command (PIC)” means the pilot responsible for the operation and safety of the aircraft during flight time;
- “pre-flight inspection” means the inspection carried out before flight to insure that the aircraft is fit for the intended flight;
- “propeller” means a device for propelling an aircraft that has blades on a powerplant driven shaft and that, when rotated, produces by its action on the air, a thrust approximately perpendicular to its plane of rotation and it includes control components normally supplied by its manufacturer, but does not include main and auxiliary rotors or rotating airfoils of powerplants;
- “proper shipping name” means the name to be used to describe a particular article or substance in all shipping documents and notifications and, where appropriate, on packaging;
- “repair” means the restoration of an aircraft or aircraft component to a serviceable condition in conformity with an approved standard;
- “rest period” means a period free of all restraint, duty or responsibility for a flight crew member of an AOC holder conducting commercial air transport operations;
- “RVSM Airspace” means any airspace or route between flight level 290 and flight level 410 inclusive where the aircraft are separated vertically by 1000ft (300m);
- “safety programme” means an integrated set of regulations and activities aimed at improving safety;
- “safety management system” means a systematic approach to managing safety, including the necessary organisation structures, accountabilities, policies and procedures;
- “satellite” means a satellite ATO at a location other than primary location of the ATO;
- “secondary standards” means a standard maintained by comparison with a primary standard;
- “signature” means an individual’s unique identification used as a means of authenticating a maintenance record entry or maintenance record. A signature may be hand-written, electronic, or any other form acceptable to the Authority;
- “State of Design” means the Contracting State which approved the original type certificate and any subsequent supplemental type certificates for an aircraft, or the State which approved the design of an aeronautical product or appliance;
- “State of Manufacture” means the Contracting State, under whose authority an aircraft was assembled, approved for compliance with the type certificate and all extant supplemental type certificates, test flown and approved for operation; the State of Manufacture may also be the state of design;
- “State of Origin” means the state in which dangerous goods were first loaded on an aircraft;
- “State of Registry” means the Contracting State on whose registry an aircraft is entered;
- “substance” means alcohol, sedatives, hypnotics, anxiolytics, hallucinogens, opioids, cannabis, inhalants, central nervous system stimulants such as cocaine, amphetamines, and similarly acting sympathomimetics, phencyclidine or similarly acting arylcyclohexylamines, and other

psychoactive drugs and chemicals;

“substance abuse” refers to-

- (a) the use of a substance in a situation in which that use was physically hazardous, if there has been at any other time an instance of the use of a substance also in a situation in which that use was physically hazardous;
- (b) a verified positive drug test result acquired under an anti-drug programme or internal programme of the [State] government; or
- (c) misuse of a substance that the Authority, based on case history and qualified medical judgement relating to the substance involved, makes the applicant unable to safely perform the duties or exercise the privileges of the certificate applied for or held, or may reasonably be expected, for the maximum duration of the medical certificate applied for or held, to make the applicant unable to perform those duties or exercise those privileges.

“substance dependence” means a condition in which a person is dependent on a substance, other than tobacco or ordinary xanthine-containing (e.g., caffeine) beverages, as evidenced by increased tolerance; manifestation of withdrawal symptoms; impaired control of use; or continued use despite damage to physical health or impairment of social, personal, or occupational functioning;

“technical instructions” means the latest effective edition of the Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc. 9284-AN/905), including the supplement and any addendum, approved and published by decision of the Council of the ICAO.

“technical log” means a document carried on an aircraft that contains information to meet ICAO requirements; a technical log contains two independent sections, a journey record section and an aircraft maintenance record section;

“training programme” means a programme that consists of courses, courseware, facilities, flight training equipment, and personnel necessary to accomplish a specific training objective. It may include a core curriculum and a specialty curriculum;

“unit load device” means any type of aircraft container, aircraft pallet with a net, or aircraft pallet with a net over an igloo;

“wet lease” means a contractual arrangement where the leased aircraft is operated by flight crew members of the Lessor;

“working standard” means a calibrated standard that is used in the performance of maintenance or calibrations in any work area for the purpose of forming the basis for product acceptance or for making a finding of airworthiness approval for return to service to an aircraft or aircraft component; a working standard may be maintained by comparison with primary standards, secondary standards, reference standards or transfer standards, as appropriate but shall not to be used to test, measure, or calibrate other working standards or measurement devices.

Application

- 3.** -(1) These Regulations apply to air operators carrying passengers, cargo or mail for remuneration or hire whose principal place of business or permanent residence is located in the [State].
- (2) Except where specifically noted, these Regulations applies to all commercial air transport operations by air operator certificate holders for which the [State] is the State of the Operator.

PART II
AIR OPERATOR CERTIFICATE

Compliance with an Air Operator Certificate.

4. -(1) An operator shall not engage in commercial air transport operations unless that operator holds a valid air operator certificate (AOC) issued by the Authority.

(2) An AOC referred to in sub-regulation (1) shall authorize the operator to conduct commercial air transport operations in accordance with the conditions and limitations that may be specified in the AOC.

(3) The issue of an AOC by the Authority shall be dependent upon the operator demonstrating an adequate organization, method of control and supervision of flight operations, training programme and maintenance arrangements consistent with the nature and extent of the operations specified.

Application for an Air Operator Certificate.

5. -(1) An operator applying to the Authority for an air operator certificate (AOC) shall submit an application-

- (a) on a form and manner prescribed by the Authority; and
- (b) containing any other information the Authority requires the applicant to submit.

(2) Except for the Operations Manual specified in Regulation 30 and the Maintenance Control Manual specified in Regulation 58 which shall be submitted at least ninety days before the date of intended operation, an applicant shall make the application for an initial issue or reissue of an AOC at least sixty days before the date of the intended operation.

Issuance of Air Operator Certificate

6. -(1) The Authority may issue an air operator certificate (AOC) to an applicant if that applicant-

- (a) has its principal place of business and it is registered in the [State];
- (b) meets the applicable regulations and standards for the holder of an AOC;
- (c) is properly qualified and adequately staffed and equipped to conduct safe operations in commercial air transport and maintenance of the aircraft;
- (d) holds a valid air service license issued under the [State] Air Services Licensing Regulations; and
- (e) has met any other requirements as specified by the Authority.

(2) The Authority may reject an application for an AOC if-

- (a) the applicant does not meet the requirements specified in sub-regulation (1);
- (b) the applicant previously held an AOC which was revoked;
- (c) the applicant is not suitable by reason of previous conduct and experience to properly maintain an AOC; or
- (d) an individual who has previously contributed to the circumstances that caused the revocation of an AOC obtains a substantial ownership in the applicant organization or is employed in a position specified by these Regulations.

Contents of Air
Operator
Certificate

- 7.** -(1) An air operator certificate (AOC) shall consist of-
- (a) a certificate for public display issued by the Authority; and
 - (b) operation specifications containing the terms and conditions applicable to the certificate.
- (2) The certificate mentioned in (1)(a) shall contain-
- (a) a certificate number specifically assigned to the AOC;
 - (b) name and location of the main place of business of the AOC; and
 - (c) date of issue and period of validity;
 - (d) a certificate number specifically assigned to the AOC;
 - (e) a description of the type of operations authorised;
 - (f) the type of aircraft authorised for use; and
 - (g) the authorised areas of operations.
- (3) The air operator certificate shall be in the form prescribed in the first schedule.
- (4) A certified true copy of the AOC shall be carried on board, where the contact details of operational management can be found.
- (5) The operations specifications associated with the air operator certificate shall contain at least the information listed in the second schedule.

Validity and
renewal of an
Air Operator
Certificate

- 8.** -(1) An air operator certificate (AOC) issued by the Authority shall be valid for twelve months from the date of issue or renewal, unless a shorter period is specified by the Authority or-
- (a) the Authority amends, suspends, revokes or otherwise terminates the certificate;
 - (b) an AOC holder surrenders it to the Authority;
 - (c) the Authority establishes that the Air Operator has suspended operations for more than 60 continuous days; or
 - (d) the AOC holder notifies the Authority of the suspension of operations.
- (2) An AOC which is suspended or revoked shall be returned to the Authority.
- (3) An application for renewal of an AOC shall be made on a form prescribed by the Authority not later than sixty days before the certificate expires.
- (4) An applicant for an AOC which has expired shall make an initial application.

Amendment of
an Air Operator
Certificate.

- 9.** - (1) The Authority may amend an air operator certificate (AOC) if the-
- (a) Authority determines that the amendment is necessary for the safety in commercial air transport and in the public interest; or
 - (b) AOC holder applies for an amendment, and the Authority determines that the amendment is necessary for safety in commercial air transport and in the public interest.
- (2) Where the Authority stipulates in writing that an emergency exists requiring the immediate amendment of the AOC in the public interest with respect to safety in commercial air transportation, such an amendment is effective on the date the AOC holder receives notice of the amendment.
- (3) An AOC holder shall operate in accordance with the amendment unless it is subsequently withdrawn.
- (4) Amendments stipulated by the Authority, other than emergency amendments, shall become effective thirty days after notice is issued to the AOC holder.
- (5) Amendments proposed by the AOC holder shall be made at least thirty days prior to the intended date of any operation under that amendment.
- (6) A person shall not perform a commercial air transport operation for which an AOC amendment is required, unless that person has received notice of the approval from the Authority.

Access for
inspection

- 10.** - (1) An air operator certificate (AOC) holder shall for the purpose of inspection-
- (a) grant the Authority unrestricted access to any of its organisations, facilities and aircraft;
 - (b) ensure that the Authority is granted unrestricted access to any organisation or facilities that it has contracted for services associated with commercial air transport operations and maintenance for services; and
 - (c) grant the Authority unrestricted access to the cockpit of the aircraft during flight operations.
- (2) An AOC holder shall provide to the Authority a forward observer's seat on the AOC holder's aircraft from which the flight crew's actions and conversations may be easily observed.

Conducting
tests and
inspections

- 11.** - (1) The Authority shall conduct surveillance on the air operator certificate (AOC) holder to ensure continued eligibility to hold an AOC and associated approvals.
- (2) An AOC holder shall allow the Authority to conduct tests and inspections, at any time or place, to determine whether the AOC holder is complying with the applicable laws, regulations and the terms and conditions of the AOC.
- (3) An AOC holder shall make available at its principal base of operations the current:
- (a) AOC and its operation specifications;
 - (b) Operations and Maintenance Manuals; and
 - (c) a list that includes the location and individual positions responsible for each record, document and report required to be kept by the AOC holder under the applicable Regulations or standards.

(4) Upon failure by an AOC holder to make available to the Authority upon request, any document, certificate or report, the Authority may suspend the AOC or any of its operation specifications.

PART III
AIR OPERATOR CERTIFICATION AND CONTINUED VALIDITY

Base of
operations

12. - (1) An air operator certificate (AOC) holder shall maintain a principal base of operations in the [State].

(2) An AOC holder shall submit written notification to the Authority, to establish or change the location of a principal base of operation at least thirty days before the proposed change.

Management
personnel
required for
commercial air
transport
operations

13. - (1) An air operator certificate (AOC) holder shall have an Accountable Manager, acceptable to the Authority, with authority to ensure that all operations and maintenance activities are financed and carried out to the highest safety standards required by the Authority.

(2) When conducting commercial air transport operations, the AOC holder shall have qualified personnel, with proven competency in civil aviation, available and serving in the following positions or their equivalent-

(a) Director of Operations;

(b) Chief Pilot;

(c) Director of Maintenance;

(d) Quality Manager; and

(e) Director of Safety.

(3) For the purposes of sub-regulation (2) “competency in civil aviation” means that an individual shall have a technical qualification and management experience acceptable to the Authority for the position served.

(4) The Authority may approve position, other than those listed, if the AOC holder is able to show that it can perform the operation safely under the direction of fewer or different categories of management personnel due to the-

(a) kind of operations involved;

(b) number of aircraft used; and

(c) area of operation.

(5) An AOC holder shall-

(a) state in the general policy provisions of the Operations Manual required by these Regulations, the duties, responsibilities, and authority of personnel required under sub-regulation (2);

(b) list in the manual, the names and business addresses of the individuals assigned to those positions; and

(c) notify the Authority within ten days of any change in personnel or any vacancy in any position listed.

(6) An AOC holder shall make arrangements to ensure continuity of supervision if operations are conducted in the absence of any required management personnel.

(7) Required management personnel shall be contracted to work sufficient hours, to ensure that the management functions of the AOC holder are fulfilled.

(8) A person serving in a required management position for an AOC holder shall not serve in a similar position for any other AOC holder, unless an exemption is issued by the Authority.

Qualification of personnel.

14. - (1) The Accountable Manager shall possess the following qualifications-

- (a) a background in the management of commercial air transport operations;
- (b) knowledge of the Civil Aviation (Air Operator Certification and Administration) Regulations, and other Regulations and materials published by the Authority that are applicable to flight operations and aircraft maintenance; and
- (c) knowledge of the operations and aircraft maintenance requirements of the air operator certificate (AOC) holder.

(2) The minimum qualifications for a Director of Operations are-

- (a) an airline transport pilot licence; and
- (b) three years experience as pilot-in-command (PIC) in commercial air transport operations of large aircraft.

(3) The minimum qualifications for a Chief Pilot are-

- (a) an airline transport pilot licence with the appropriate ratings for at least one of the aircraft used in the AOC holder's operations;
- (b) three years experience as PIC in commercial air transport operations; and
- (c) a commercial pilot license with instrument rating in lieu of the airline transport pilot licence if the PIC requirements for the operations conducted require only a commercial pilot licence;

(4) The minimum qualifications for a Director of Maintenance are-

- (a) a licensed maintenance engineer with appropriate airframe, powerplant and avionics ratings; and
- (b) three years experience in maintaining the same category and class of aircraft used by the AOC holder including one year in the capacity of returning aircraft to service.

(5) The minimum qualifications for Quality Manager are-

- (a) a technically qualified person in the field of aircraft maintenance, or flight or ground operations;
- (b) at least three years experience in the field of aircraft maintenance, flight or ground operations; and
- (c) must have successfully completed a training in quality management recognized by the Authority

(6) The minimum qualifications for Director of Safety are-

- (a) a technically qualified person in the field of aircraft maintenance or flight operations;

- (b) at least five years experience in the field of aircraft maintenance or flight operations; and
 - (c) must have successfully completed a training in safety management systems course recognized by the Authority.
- (7) An AOC holder may approve the employment of a person who does not meet the appropriate qualification or experience if the Authority issues an exemption upon finding that that person has comparable experience and can effectively perform the required management functions.

Company
procedures
indoctrination.

15. - (1) A person shall not serve nor shall any air operator certificate (AOC) holder use a person as a quality manager or a director of maintenance unless that person has completed the company indoctrination curriculum approved by the Authority, which shall include a complete review of the operations manual and maintenance control manual procedures pertinent to their duties.

(2) An AOC holder shall ensure that the Quality Manager and the Director of Maintenance undergo company indoctrination training that covers the following areas-

- (a) AOC holders' organisation, scope of operation and maintenance, and administrative practices as applicable to their assignments and duties;
- (b) appropriate provisions of these Regulations and other applicable regulations and guidance materials;
- (c) AOC holder policies and procedures; and

(d) appropriate portions of the AOC holder's operations manual and maintenance control manual.

Quality system

16. - (1) An air operator certificate (AOC) holder shall establish a quality system and designate a quality manager to monitor compliance with, and adequacy of, procedures required to ensure safe operational practices and airworthy aircraft.

(2) Compliance monitoring in accordance with sub-regulation (1) shall include a feedback system to the Accountable Manager to ensure corrective action as necessary.

(3) An AOC holder shall ensure that each quality system established as required by sub-regulation (1) includes a quality assurance programme that contains procedures designed to verify that all operations are being conducted in accordance with all applicable requirements, standards and procedures.

(4) The quality system, and the quality manager specified in sub-regulation (1), shall be acceptable to the Authority.

(5) An AOC holder shall describe the quality system in all relevant documentation.

(6) Notwithstanding sub-regulation (1) of this regulation, the Authority may accept the appointment of two quality managers, one for operations and one for maintenance; provided that the AOC holder has designated one quality management unit to ensure that the quality system is applied uniformly during the entire operation.

Submission and revision of policy and procedure manuals

17. - (1) A person who develops and maintains a manual required by these Regulations shall ensure that the manual-

- (a) includes instructions and information necessary to allow the personnel concerned to perform their duties and responsibilities safely;
- (b) is in a form that is easy to revise and contains a system which allows personnel to determine the current revision status of each manual;
- (c) has a date of the last revision on each revised page;
- (d) is not contrary to any applicable Laws of the [State] and the air operator certificate (AOC) holder's operations specifications; and
- (e) includes a reference to the appropriate civil aviation regulations.

(2) A person shall not implement any policy or procedure for flight operations or airworthiness functions prior to approval or acceptance by the Authority as appropriate.

(3) An AOC holder shall submit the proposed policy or procedure to the Authority at least thirty days prior to the date of intended implementation.

Retention and maintenance of personnel and other records.

18. - (1) An air operator certificate (AOC) holder shall maintain current records detailing the qualifications and training of all its employees and the employees of contractors involved in the operational control, flight operations, ground operations and maintenance of the air operator.

(2) An AOC holder shall maintain records for a minimum period of two years for those employees performing crew member or flight dispatch duties in sufficient detail to determine whether the employee meets the experience and qualification requirements for duties in commercial air transport operations.

(3) An AOC holder shall retain the following records for the period specified-

- (a) flight and duty records, two years;
- (b) flight crew records, two years;
- (c) fuel and oil records, three months;
- (d) completed load manifests, six months;
- (e) mass and balance records, six months;
- (f) dispatch releases, six months;
- (g) flight plans, six months;
- (h) passenger manifests, six months;
- (i) weather reports, six months;
- (j) journey logs, two years; and
- (k) aircraft technical logbook, two years.

Inspection of personnel and other records.

19. - (1) An air operator certificate (AOC) holder shall whenever called upon to do so by an authorized person-

- (a) produce for the inspection of that person all records referred to in regulation 18; and
- (b) furnish to that person all information that person may require, in connection with the records and produce, for, that person's inspection all log-books, certificates, papers and other documents which that person may reasonably require to examine for the purpose of determining whether the records are complete or of verifying the accuracy of their contents.

(2) The AOC holder shall, at the request of any person in respect of whom that person is required to keep records as specified above, furnish to that person, or to any operator of aircraft for the purpose of commercial air transport by whom that person may subsequently be employed, particulars of any qualifications obtained by such person while in the service of the AOC holder.

Flight recorders records

20. - (1)-An air operator certificate (AOC) holder shall retain-

- (a) the most recent flight data recorder calibration, including the recording medium from which this calibration is derived;
- (b) the flight data recorder correlation for one aircraft of any group of aircraft operated by the AOC holder;
- (c) that are of the same type;
- (d) on which the model flight recorder and its installation are the same; and
- (e) on which there is no difference in type design with respect to the original installation of instruments associated with the recorder.

(2) In the event of an accident or incident that requires immediate notification to the Authority, the AOC holder shall remove and keep recorded information from the cockpit voice recorder and flight data recorder for at least sixty days or, if requested by the Authority, for a longer period.

Aircraft record.

21. - (1) An air operator certificate (AOC) holder shall maintain a current list of each aircraft it operates and shall send a copy of the list to the Authority, as well as each change to the list, prior to the intended change.

(2) An aircraft of another AOC holder operated under an interchange agreement shall be incorporated in the current list of aircraft required by sub-regulation (1).

Authorised aircraft

22. - (1) An air operator certificate (AOC) holder shall not operate an aircraft in commercial air transport unless that aircraft-

- (a) has an current certificate airworthiness;
- (b) is in an airworthy condition; and
- (c) meets the applicable airworthiness requirements for the operations the AOC holder intends to carry out, including those related to identification and equipment.

(2) A person shall not operate any specific type of aircraft in commercial air transport until it has completed satisfactory initial certification, which includes the issuance of an AOC listing that type of aircraft.

(3) A person shall not operate additional or replacement aircraft of a type for which it is currently authorised unless that person can show that the aircraft has been approved by the Authority for inclusion in the AOC holder's fleet.

Dry leasing of foreign registered aircraft.

23. - (1) An air operator certificate (AOC) holder may dry-lease a foreign-registered aircraft for commercial air transport as authorised by the Authority.

(2) An AOC holder shall not operate a foreign registered aircraft unless-

(a) there is in existence a current agreement between the Authority and the State of Registry that, while the aircraft is operated by a [State] AOC holder, these Regulations governing the issuance of the [State] AOC and its operation specification shall apply;

(b) there is in existence a current agreement between the Authority and the State of Registry that-

(i) while the aircraft is operated by the AOC holder, the Airworthiness Regulations of the State of Registry are applicable; or

(ii) if the State of Registry agrees to transfer some or all of the responsibility for airworthiness to the Authority under Article 83*bis* of the Chicago Convention, the Civil Aviation (Airworthiness) Regulations, shall apply to the extent agreed upon by the Authority and the State of Registry; or

(iii) the agreement acknowledges that the Authority shall have unrestricted access to the aircraft at any place and any time.

(3) Pursuant to sub-regulation (2), an AOC holder may operate a foreign registered aircraft for a period not exceeding six consecutive months.

(4) The total number of dry leased aircraft shall be such that an AOC holder will not be predominantly dependent on foreign registered aircraft.

(5) A person who wishes to operate a dry leased aircraft shall provide the Authority with the following information-

(a) the aircraft type and serial number;

(b) the name and address of the registered owner;

(c) the State of Registry and registration marks;

(d) the Certificate of Airworthiness and statement from the registered owner that the aircraft fully complies with the airworthiness requirements of the State of Registry;

(e) the name, address and signature of the lessee who shall be responsible for the operational control of the aircraft under the lease agreement, including a statement that the lessee fully understands the responsibilities under the applicable regulations;

(f) the aircraft type and serial number;

(g) the name and address of the registered owner;

(h) the State of Registry and registration marks;

(i) the Certificate of Airworthiness and statement from the registered owner that the aircraft fully complies with the airworthiness requirements of the State of Registry;

- (j) the name, address and signature of the lessee who shall be responsible for the operational control of the aircraft under the lease agreement, including a statement that the lessee fully understands the responsibilities under the applicable regulations;
 - (k) a copy of the lease and maintenance agreement; and
 - (l) the duration of the lease, and any other information as the Authority deems necessary.
- (6) A [State] AOC holder may dry lease an aircraft registered in another contracting State for the purpose of commercial air transportation provided that the following conditions are met-
- (a) the aircraft carries certificate airworthiness issued, in accordance with Annex 8, to the Chicago Convention by the State of Registry and meets the aircraft registration and marking requirements of that state;
 - (b) the aircraft is of a type design which complies with all of the requirements that would be applicable to that aircraft were it registered in [State], including the requirements which shall be met for issuance of a [State] certificate of airworthiness including type design conformity, condition for safe operation, and the noise, fuel venting, and engine emission requirements;
 - (c) the aircraft is maintained according to an approved maintenance programme; and
 - (d) the aircraft is operated by [State] licensed flight crew employed by the [State] AOC holder.
- (7) An AOC holder operating a dry leased aircraft shall have operational control of that aircraft.
- (8) An AOC holder shall provide satisfactory evidence that the aircraft has been deleted from the lessor's AOC before the Authority lists the aircraft on the lessee's AOC.
- (9) An AOC holder engaged in the dry leasing of aircraft shall make the dry lease agreement explicit concerning the maintenance programme and minimum equipment list to be followed during the lease period.
- (10) Where the lease arrangement is determined to be a dry lease involving an aircraft that possess a certificates of registration and certificate of airworthiness issued by the State of the Registry, and the dry lease is acceptable to the Authority, operations specifications shall be developed by the AOC holder containing at least the following-
- (a) the names of the parties to the lease agreement and the duration thereof;
 - (b) the nationality and registration marks of each aircraft involved in the agreement;
 - (c) the type of aircraft to be used;
 - (d) the area of operation; and
 - (e) the regulations applicable to the operation.

Interchange agreement.

24. - (1) An air operator certificate (AOC) holder shall not interchange aircraft with another AOC holder without the approval of the Authority.

(2) Prior to operating an aircraft under an interchange agreement, the AOC holder shall demonstrate that-

- (a) the procedures for the interchange operation conform with safe operating practices;

- (b) the required crew members and flight operations officers meet approved training requirements for the aircraft and equipment to be used and are familiar with the communications and dispatch procedures to be used;
 - (c) the maintenance personnel meet the approved training requirements for the aircraft and equipment, and are familiar with the maintenance procedures to be used;
 - (d) the flight crew members and flight operations officers meet approved appropriate route and airport qualifications;
 - (e) the aircraft to be operated is essentially similar to the aircraft of the AOC holder with whom the interchange is effected; and
 - (f) the arrangement of flight instruments and controls that are critical to safety are essentially similar, unless the Authority determines that the AOC holder has adequate training programmes to ensure that any potentially hazardous dissimilarities are safely overcome by flight crew familiarisation
- (3) An AOC holder operating an aircraft under an interchange agreement shall include the pertinent provisions and procedures of the agreement in its manuals.
- (4) An AOC holder shall-
- (a) amend its operations specifications to reflect an interchange agreement; and
 - (b) comply with the applicable regulations of the State of Registry of an aircraft involved in an interchange agreement while it has operational control of that aircraft.

Wet-leasing of aircraft.

25. - (1) A holder of an air operator certificate (AOC) issued under these Regulations may enter into a wet-lease arrangement with another air operator subject to the approval of the Authority and any terms, conditions or limitations imposed by the Authority.

(2) Where a holder of an AOC issued under these Regulations enters into a wet lease arrangement, the AOC holder shall maintain operational control of the leased aircraft and crew. The AOC holder shall demonstrate how it will maintain operational control to the satisfaction of the Authority.

- (a) the aircraft type and serial number;
- (b) the name and address of the registered owner;
- (c) the details of the crew members;
- (d) the State of Registry and registration marks;
- (e) the certificate of airworthiness and statement from the registered owner that the aircraft fully complies with the airworthiness requirements of the State of Registry;
- (f) the name, address and signature of the AOC holder responsible for the operational control of the aircraft under the lease agreement, including a statement that the AOC holder fully understands the responsibilities under the applicable regulations;
- (g) a copy of the lease and maintenance agreement;
- (h) the duration of the lease; and
- (i) any other information as the Authority deems necessary.

(3) The operations specifications of an AOC holder engaged in a wet lease operation shall contain the following information-

- (a) the names of the parties to the agreement and the duration of the agreement;

- (b) the make, model, series, serial number, nationality and registration marks of each aircraft referred to in the agreement;
- (c) the expiration date of the lease agreement;
- (d) the kind of operation;
- (e) a statement specifying the party deemed by the Authority to have operational control; and
- (f) any other item, condition, or limitation the Authority deems necessary.

Emergency
evacuation
demonstration

26. - (1) An air operator certificate (AOC) holder shall not use an aircraft type and model with total seating capacity of 44 and above in commercial air transport passenger-carrying operations unless it has first conducted, for the Authority, an actual full capacity emergency evacuation demonstration for the configuration in ninety seconds or less.

(2) The full capacity actual demonstration referred to in sub regulation (1) may not be required, if the AOC holder applies to the Authority for an exemption with evidence that-

(a) a satisfactory full capacity emergency evacuation for the aircraft to be operated was demonstrated during the aircraft type certification or during the certification of another air operator; and

(b) there is an engineering analysis, which shows that an evacuation is still possible within the ninety second standard, if the AOC holder's aircraft configuration differs with regard to number of exits or exit type or number of cabin crew member or location of the cabin crew member.

(3) Where an AOC holder requests for a exemption under sub-regulation (2) and the exemption is approved, the AOC holder shall conduct a partial emergency evacuation and ditching evacuation, observed by the Authority, that demonstrates the effectiveness of the AOC holder's crew members emergency training and evacuation procedures.

(4) Where a full capacity demonstration is not required, an AOC holder shall not use an aircraft type and model in commercial air transport passenger-carrying operations unless the AOC holder has first demonstrated to the Authority that its available personnel, procedures and equipment shall provide sufficient open exits for evacuation in fifteen seconds or less.

(5) An AOC holder shall not use an aircraft in extended overwater operations unless the AOC holder has first demonstrated to the Authority that it has the ability and equipment to efficiently carry out its ditching procedures.

(6) An AOC holder shall apply to the Authority for approval to conduct the emergency evacuation demonstration at least thirty days before the intended date of the emergency evacuation demonstration.

(7) Cabin crew member to be used in the emergency evacuation demonstrations shall-

(a) be selected at random by the Authority;

(b) has completed the AOC holder's Authority-approved training programme for the type and model of aircraft; and

(c) has passed the drills and competence check on the emergency equipment and procedures.

(8) To conduct a partial emergency evacuation demonstration, the AOC holder's assigned cabin crew members shall, using the AOC holder's line operating procedures-

- (a) demonstrate the opening of fifty percent of the required floor-level emergency exits and fifty percent of the required non-floor-level emergency exits, whose opening by a cabin crew member is defined as an emergency evacuation duty and deployment of fifty percent of the exit slides, selected by the Authority; and
 - (b) prepare for use those exits and slides within fifteen seconds.
- (9) To conduct the ditching evacuation demonstration, the AOC holder's assigned cabin crew members shall-
- (a) demonstrate their knowledge and use of each item of required emergency equipment;
 - (b) prepare the cabin for ditching within six minutes after the intention to ditch is announced;
 - (c) remove each life raft from storage, one of which as selected by the Authority shall be launched and properly inflated or one slide life raft properly inflated; and
 - (d) enter the raft, which shall include all required emergency equipment, and completely set it up for extended occupancy.

Demonstration flights.

- 27.** - (1) An air operator certificate (AOC) holder shall not operate an aircraft type in commercial air transport unless the AOC holder first conducts demonstration flights to the satisfaction of the Authority.
- (2) An AOC holder shall not operate an aircraft in a designated special area or using a specialised navigation system unless the AOC holder conducts demonstration flight to the satisfaction of the Authority.
- (3) The demonstration flights required under sub-regulation (1) shall be conducted in accordance with the regulation applicable to the type of operation and aircraft type used.
- (4) An AOC holder shall conduct demonstration flights for each type of aircraft, including aircraft materially altered in design, and for each kind of operation the AOC holder intends to conduct.
- (5) An AOC holder shall conduct demonstration flights of at least-
- (a) one hundred total hours of flight time, unless the Authority determines that a satisfactory level of proficiency has been demonstrated in fewer hours; (fifty total hours of flight time which include the longest route and each kind of operation he intends to operate to satisfaction of the Authority);
 - (b) five hours of night time, if night flights are to be authorised;
 - (c) five instrument approach procedures under simulated or actual instrument weather conditions, if instrument flight rules flights are to be authorised; and
 - (d) entry into a representative number of en-route airports, as determined by the Authority
- (6) A person shall not carry passengers in an aircraft during demonstration flights, except those required to make the demonstration flight and those designated by the Authority.
- (7) The Authority shall determine the necessity and extent of demonstration flights for those AOC holders operating aircraft with a maximum certificated take-off mass of 5,700kg or less.

Facilities.

- 28.** - (1) An air operator certificate (AOC) holder shall maintain operational and airworthiness support facilities at the AOC holders' principal base of operation, appropriate for the area and type of operation.

(2) An AOC holder shall arrange appropriate ground handling facilities necessary to ensure the safe servicing and loading of its aircraft at each airport used.

Operations
schedule.

29. - (1) In establishing flight operations schedules, an air operator certificate (AOC) holder shall-

- (a) allow enough time for the proper servicing of aircraft at intermediate stops; and
- (b) consider the prevailing winds en route and cruising speed for the type of aircraft.

(2) The cruising speed referred to in sub-regulation (1) shall not be more than that resulting from the specified cruising output of the engines.

PART IV

AOC FLIGHT OPERATIONS MANAGEMENT

Operations
manual

30. - (1) An air operator certificate (AOC) holder shall issue to the crew members and persons assigned operational control functions, an operations manual as set out in the Third Schedule to these Regulations.

(2) The Operations Manual referred to in sub-regulation (1) shall be amended or revised as is necessary to ensure that the information contained therein is kept up to date, and all such amendments or revisions shall be issued to all personnel that are required to use the Operations Manual.

(3) An AOC holder shall submit to the Authority a copy of the AOC holder's entire operations manual for the time being in force or of such parts thereof as the Authority may specify.

(4) An AOC holder shall make such amendments or additions to the operations manual as the Authority may require for the purpose of ensuring the safety of the aircraft or of persons or cargo carried therein, efficiency or regularity of air navigation

(5) The Operations Manual issued under sub-regulation (1) shall contain the overall, general company policies and procedures regarding the flight operations it conducts.

An AOC holder shall prepare and keep current an operations manual which contains the AOC holder's procedures and policies for the use and guidance of its personnel.

(6) An AOC holder shall issue the Operations Manual, or pertinent portions, together with all amendments and revisions to all personnel that are required to use it.

(7) An AOC holder shall not provide for use of its personnel in commercial air transport any Operations Manual or its part which has not been reviewed and found acceptable or approved for the AOC holder by the Authority.

(8) An AOC holder shall ensure that the contents and structure of the Operations Manual are in accordance with these Regulations and includes at least those subjects designated by the Authority that are applicable to the AOC holder's area and type of operations.

(9) The Operations Manual may be published in parts, as a single document, or as a series of volumes.

(10) An AOC holder may design an Operations Manual to be more restrictive than the Authority's requirements

Training
programmes.

31. -(1) An air operator certificate (AOC) holder shall ensure that all operations personnel are properly instructed in their duties and responsibilities and the relationship of such duties to the operation as a whole.

(2) An AOC holder shall have training programmes approved by the Authority containing the general training, checking, standardization and record keeping policies as specified in the Third Schedule.

(3) An AOC holder shall have a training curriculum approved by the Authority prior to using the training curriculum for the purpose of qualifying a crew member, or person performing operational control functions, for duties in commercial air transport.

(4) An AOC holder shall submit to the Authority any revision to an approved training programme, and shall receive approval of the revision from the Authority before that revision can be effected.

(5) The training programmes specified in sub-regulation (2) shall be described in detail either in the operations or in a training manual which would form part of the operations manual but may be issued as a separate volume.

Aircraft
operating
manual.

32. -(1) A holder or applicant for an air operator certificate (AOC) shall submit proposed aircraft operating manual for each type and variant of aircraft operated, containing the normal, abnormal and emergency procedures relating to the operation of the aircraft for approval by the Authority.

(2) An aircraft operating manual shall-

(a) be based upon the aircraft manufacturer's data for the specific aircraft type and variant operated by the AOC holder and shall include specific operating parameters, details of the aircraft systems and of the check lists to be used applicable to the operations of the AOC holder that are approved by the Authority;

(b) be designed so as to observe human factors principles; and

(c) be issued to the flight crew members and persons assigned operational control functions to each aircraft operated by the AOC holder.

(3) A holder or applicant for an AOC shall submit and maintain an aircraft operating manual containing as a minimum the information specified in the Second Schedule to these Regulations.

(4) The operator shall provide operations staff and flight crew with an aircraft operating manual, for each aircraft type operated, containing the normal, abnormal and emergency procedures relating to the operation of the aircraft.

(5) The manual shall include details of the aircraft systems and of the checklists to be used.

(6) The design of the manual shall observe human factors principles.

AOC holder's
journey log.

33. -(1) An air operator certificate (AOC) holder shall maintain a journey log containing the following information for each flight-

(a) aircraft nationality and registration marks;

(b) date of the flight;

(c) name(s) of crew members;

(d) duty assignments of crew members;

(e) place of departure;

(f) place of arrival;

- (g) time of departure;
- (h) time of arrival;
- (i) duration of flight;
- (j) purpose of flight;
- (k) incidents, and observations, if any; and
- (l) signature of the pilot-in-command.

(2) The Authority may waive the requirement of sub-regulation (1) if the relevant information is available in the aircraft technical logbook referred to in regulation 61.

(3) An AOC holder shall maintain a journey log book for every aeroplane engaged in international air navigation in which shall be entered particulars of the aeroplane, its crew and each journey.

(4) An AOC holder shall ensure that all entries in the journey log are made concurrently and are permanent in nature.

Designation
of PIC

34. An air operator certificate (AOC) holder shall, for each commercial air transport operation, designate, in writing, one pilot as the pilot-in-command.

Required
cabin crew
members

35. -(1) An air operator certificate (AOC) holder shall schedule, and the pilot-in-command shall ensure that the minimum number of required cabin crew members are on board passenger-carrying flights.

(2) The number of cabin crew members may not be less than the minimum prescribed by the Authority in the AOC holders' operations specifications or the following, whichever is greater-

- (a) in the case of an aircraft with a total seating capacity of twenty to fifty passengers, one cabin crew member;
- (b) in the case of an aircraft with a total seating capacity of not more than two hundred, the number of cabin crew members carried on such flight shall be not less than one cabin crew member for every fifty, or a fraction of fifty passengers carried;
- (c) in the case of an aircraft with a total seating capacity of more than two hundred, the number of cabin crew members carried on such flights shall be not less than half the number of the main exits in the aircraft, and in addition, when more than two hundred passengers are carried, one additional cabin crew member for every twenty-five, or a fraction of twenty five, of such passengers above two hundred.

(3) Where the number of cabin crew members specified in sub-regulation (2), calculated in accordance with that sub-regulation exceeds the number of main exits in the aircraft, it shall be sufficient compliance with this regulation if the number of cabin crew members carried is equal to the number of main exits in the aircraft.

(4) Where passengers are on board a parked aircraft, the minimum number of cabin crew members shall be half of the number required for the flight operation, but in any case a minimum of one cabin crew member or another person qualified in the emergency evacuation procedures for the aircraft.

(5) Where one-half of the cabin crew members specified in sub-regulation (1) would result in a fractional number, the tally of requisite cabin crew members may be rounded down to the next whole number.

(6) Notwithstanding the preceding provisions of this regulation the Authority may give a direction to an AOC holder requiring him to include among the crew thereof, whenever the aircraft is flying for the purpose of commercial air transport operations, at least one cabin crew notwithstanding that the aircraft may be carrying fewer than twenty passengers

Carriage of special situation passengers

36. An air operator certificate (AOC) holder shall not allow the transportation of special situation passengers, except-

- (a) as otherwise provided in the AOC holder's operations manual procedures; and
- (b) with the knowledge and concurrence of the pilot-in-command.

Cockpit check procedure

37. - (1) An air operator certificate (AOC) holder shall issue to each flight crew member and make available on each aircraft at each flight crew member position, the cockpit checklist procedures approved by the Authority appropriate for the type and variant of aircraft.

- (2) Checklists shall be used by flight crews -
 - (a) prior to, during and after all phases of operations; and
 - (b) in emergencies;

to ensure compliance with the operating procedures contained in the aircraft operating manual and the aeroplane flight manual or other documents associated with the certificate of airworthiness and otherwise in the operations manual, are followed.

(3) The design and utilization of checklists shall observe human factors principles

(4) An AOC holder shall ensure that approved procedures include each item necessary for flight crew members to check for safety before starting engines, taking off, or landing, and for engine and systems abnormalities and emergencies.

(5) An AOC holder shall ensure that the checklist procedures are designed so that a flight crew member shall not need to rely upon their memory for items to be checked.

(6) An AOC holder shall make the approved procedures readily available in the cockpit of each aircraft and the flight crew shall be required to follow them when operating the aircraft.

Minimum equipment list and configuration deviation list

38. - (1) An air operator certificate (AOC) holder shall provide for the use of the flight crew members, maintenance personnel, and persons assigned operational control functions during the performance of their duties, Minimum Equipment List approved by the Authority.

(2) The MEL shall be specific to the aircraft type and variant and shall contain the circumstances, limitations and procedures for release or continuance of flight of the aircraft with inoperative components, equipment or instruments.

(3) An AOC holder may provide for the use of flight crew, maintenance personnel and persons assigned operational control functions during the performance of their duties a Configuration Deviation List (CDL) specific to the aircraft type if one is provided and approved by the State of Design.

(4) An AOC holder's Operations Manual shall contain those procedures acceptable to the Authority for operations in accordance with the CDL requirements.

(5) The operator shall include in the operations manual a minimum equipment list (MEL), approved by the State of the Operator which will enable the pilot-in-command to determine whether a flight may be commenced or continued from any intermediate stop should any instrument, equipment or systems become inoperative.

(6) Where the State of the Operator is not the State of Registry, the State of the Operator shall ensure that the MEL does not affect the aeroplane's compliance with the airworthiness requirements applicable in the State of Registry.

Performance
planning
manual

39. - (1) An air operator certificate holder shall provide for the use of the flight crew members and persons assigned operational control functions during the performance of their duties, a Performance Planning Manual (PPM) acceptable to the Authority.

(2) The PPM shall be specific to the aircraft type and variant and shall contain adequate performance information to accurately calculate the performance in all normal phases of flight operation.

Performance
data control
system.

40. - (1) An air operator certificate (AOC) holder shall have a system approved by the Authority, for obtaining, maintaining and distributing to appropriate personnel current performance data for each aircraft, route and airport that the AOC holder uses.

Aircraft
loading and
handling
manual.

41. - (1) An air operator certificate (AOC) holder shall provide for the use of the flight crew members, ground handling personnel and persons assigned operational control functions during the performance of their duties, an aircraft handling and loading manual acceptable to the Authority.

(2) The loading manual shall be specific to the aircraft type and variant which contains the procedures and limitations for servicing and loading of the aircraft.

Mass and
balance data
control
system.

42. An air operator certificate (AOC) holder shall have a system, approved by the Authority for obtaining, maintaining and distributing to appropriate personnel current information regarding the mass and balance of each aircraft operated by that AOC holder.

Cabin crew
member
manual

43. - (1) An AOC holder shall issue to the cabin crew member for use during the performance of their duties, a cabin crew member manual acceptable to the Authority.

(2) The Cabin Crew Member manual shall contain the operational policies and procedures applicable to cabin crew member and the carriage of passengers.

(3) An AOC holder shall issue to the Cabin Crew Member a manual specific to the aircraft type and variant, containing at least the information set out in the Fifth Schedule to these Regulations as well as details of normal, abnormal and emergency procedures and the location and operation of emergency equipment.

(4) The manuals specified in sub-regulation (3) may be combined into one manual for use by the cabin crew member.

Passenger
briefing cards.

44. - (1) An air operator certificate (AOC) holder shall carry on each passenger-carrying aircraft, in convenient locations for the use of each passenger, printed briefing cards supplementing the oral briefing and containing-

- (a) diagrams and methods of operating the emergency exits;
- (b) other instructions necessary for use of the emergency equipment; and
- (c) information regarding the restrictions and requirements associated with sitting in an exit seat row.

(2) An AOC holder shall ensure that each card contains information that is pertinent only to the type and variant of aircraft used for that flight.

(3) An AOC holder shall, at each exit seat, provide passenger information cards that include the following information in English and Kiswahili languages-

- (a) functions required of a passenger in the event of an emergency in which a crew member is not available to assist-
 - (i) locate the emergency exit;
 - (ii) recognise the emergency exit opening mechanism;
 - (iii) comprehend the instructions for operating the emergency exit;
 - (iv) operate the emergency exit;
 - (v) assess whether opening the emergency exit will increase the hazards to which passengers may be exposed;
 - (vi) follow oral directions and hand signals given by a crew member;
 - (vii) stow or secure the emergency exit door so that it will not impede use of the exit;
 - (viii) assess the condition of an escape slide, activate the slide, and stabilise the slide after deployment to assist others in getting off the slide;
 - (ix) pass expeditiously through the emergency exit; and
 - (x) assess, select, and follow a safe path away from the emergency exit;

(b) a requirement that a passenger identify themselves to allow reseating if that passenger-

- (i) cannot perform the emergency functions stated in the information card;
- (ii) has a condition that will prevent that;
- (iii) passenger from performing the functions;
- (iv) may suffer bodily harm as the result of performing one or more of those functions;
- (v) does not wish to perform those functions; or
- (vi) lacks the ability to read, speak, or understand the language or the graphic form in which instructions are provided by the AOC holder;
- (vii) a statement that whenever a crew member identifies a passenger who does not meet the requirements specified in paragraph (b) above, the crew member shall reseat the passenger.

Aeronautical
data control
system.

45. - (1) An air operator certificate (AOC) holder shall have a system approved by the Authority for obtaining, maintaining and distributing to appropriate personnel current aeronautical data for each route and airport used.

(2) An AOC holder shall provide the following aeronautical data for each airport used-

- (a) airports-
 - (i) facilities;
 - (ii) navigational and communications aids;
 - (iii) construction affecting takeoff, landing, or ground operations; and
 - (iv) air traffic service facilities;
- (b) runways, clearways, and stopways-
 - (i) dimensions;
 - (ii) surface;
 - (iii) marking and lighting systems; and
 - (iv) elevation and gradient;
- (c) displaced thresholds-
 - (i) location;
 - (ii) dimensions;
 - (iii) takeoff or landing or both;
- (d) obstacles-
 - (i) those affecting takeoff and landing performance computations; and
 - (ii) controlling obstacles;
- (e) instrument flight procedures-
 - (i) departure procedure;
 - (ii) approach procedure; and
 - (iii) missed approach procedure;
- (f) special information-
 - (i) runway visual range measurement equipment; and
 - (ii) prevailing winds under low visibility conditions.

Route guide
and
aeronautical
charts.

46. - (1) An air operator certificate (AOC) holder shall provide for the use of the flight crew members and persons assigned operational control function during the performance of their duties, a route guide and aeronautical charts approved by the Authority.

(2) The route guide and aeronautical charts shall be current and appropriate for the proposed types and areas of operations to be conducted by the AOC holder.

Weather
reporting
sources.

47. - (1) An air operator certificate (AOC) holder shall use sources approved by the Authority for the weather reports and forecasts used for decisions regarding flight preparation, routing and terminal operations.

(2) Where an AOC holder carries out passenger carrying operations on a published schedule, the AOC holder shall have an approved system for obtaining forecasts and reports of adverse weather phenomena that may affect safety of flight on each route to be flown and airport to be used.

(3) An AOC holder may use the following sources of weather reports for flight planning or controlling flight movement-

- (a) the [State] Meteorological Agency;
- (b) the [State] -operated automated surface observation stations, so long as the station reports all required items for a complete surface aviation weather report;
- (c) a [State]-operated supplemental aviation weather reporting station;
- (d) observations made by aerodrome control towers;
- (e) a [State]-contracted weather observatory;
- (f) any active meteorological office operated by a foreign state which subscribes to the standards and practices contained in the Chicago convention and the annexes thereunder;
- (g) any military weather reporting sources approved by the Authority in case of flight operations which use military airports as departure, destination, alternate or diversion airports;
- (h) near-real time reports such as pilot reports, radar reports, radar summary charts, and satellite imagery reports made by commercial weather sources or other sources specifically approved by the Authority; or
- (i) an AOC holder operated and maintained weather reporting system approved by the Authority.

De-icing and
anti-icing
programme

48. -(1) An air operator certificate (AOC) holder planning to operate an aircraft in conditions where frost, ice, or snow may reasonably be expected to stick on to the aircraft shall-

- (a) use only aircraft adequately equipped for such conditions;
- (b) ensure flight crew is adequately trained for such conditions; and
- (c) have an approved ground de-icing and anti-icing programme.

(2) Contents of the ground de-icing and anti-icing programme shall include a detailed description of-

- (a) the method used to determine that conditions are such that frost, ice, or snow may reasonably be expected to stick on to the aircraft and that ground de-icing and anti-icing operational procedures shall be effected;
- (b) the person responsible for deciding that ground de-icing and anti-icing operational procedures shall be effected;
- (c) the procedures for implementing ground de-icing and anti-icing operational procedures;
- (d) the specific duties and responsibilities of each operational position or group responsible for getting the aircraft safely airborne while ground de-icing and anti-icing operational procedures are in effect;
- (e) The AOC holder's programme shall include procedures for flight crew members to increase or decrease the determined hold over time in changing conditions; and
- (f) The holdover time shall be supported by data acceptable to the Authority.

(5) Where the maximum holdover time is exceeded, takeoff shall be prohibited unless at least one of the following conditions exists.

- (a) a pre-takeoff contamination check is conducted outside the aircraft within five minutes prior to beginning take off to determine that the wings, control surfaces, and other critical surfaces, as defined in the certificate holder's programme, are free of frost, ice or snow;
- (b) it is otherwise determined by an alternate procedure, approved by the Authority and in accordance with the AOC holder's approved programme, that the wings, control surfaces, and other critical surfaces are free of frost, ice or snow; or
- (c) the wings, control surfaces, and other critical surfaces are de-iced again and a new holdover time is determined.

Flight supervision and monitoring system.

49. - (1) An air operator certificate (AOC) holder who conducts scheduled operations shall have an adequate system approved by the Authority for proper dispatching and monitoring of the progress of the scheduled flights.

(2) The dispatch and monitoring system shall have enough dispatch centres, adequate for the operations to be conducted, located at points necessary to ensure adequate flight preparation, dispatch and in-flight contact with the scheduled flight operations.

(3) Where an AOC holder conducts scheduled operations, the AOC holder shall provide enough qualified operations officers at each dispatch centre to ensure proper operational control of each flight.

Flight following system for charter flights operations.

50. - (1) An air operator certificate (AOC) holder who conducts charter flight operations shall have a system for providing flight preparation documents and determining the departure and arrival times of its flights at all airports approved by the Authority.

(2) The systems specified in sub-regulation (1) shall have a means of communication by private or available public facilities to monitor the departure and arrival at all airports, including flight diversions.

(3) An AOC holder shall have an approved flight following system established and adequate for the proper monitoring of each flight, considering the operations to be conducted.

(4) The centres established by an AOC holder for flight following shall be located at points necessary to ensure-

- (a) the proper monitoring of the progress of each flight with respect to its departure at the point of origin and arrival at its destination, including intermediate stops and diversions; and
- (b) that the pilot-in-command is provided with all information necessary for the safety of the flight.

(5) An AOC holder conducting charter operations may arrange to have flight following facilities provided by persons other than the AOC holder's employees, but in such a case the AOC holder continues to be primarily responsible for the operational control of each flight.

(6) An AOC holder conducting charter operations using a flight following system shall ensure that the system has adequate facilities and personnel to provide the information necessary for the initiation and safe conduct of each flight to-

- (a) the flight crew of each aircraft; and
- (b) the persons designated by the AOC holder to perform the function of operational control of the aircraft.

(6) An AOC holder conducting charter operations shall show that the personnel required to perform the function of operational control are able to perform their duties.

Communications facilities.

51. - (1) An air operator certificate (AOC) holder's aircraft shall have two-way radio communications with all air traffic service facilities along the routes and alternate routes to be used.

(2) An AOC holder who conducts scheduled operations shall have rapid and reliable radio communications with all flights over his entire route structure under normal operating conditions.

Routes and areas of operation

52. - (1) An air operator certificate (AOC) holder may conduct operations only along such routes and within such areas for which-

- (a) ground facilities and services, including meteorological services, provided are adequate for the planned operation;
- (b) the performance of the aircraft intended to be used is adequate to comply with minimum flight altitude requirements;
- (c) the equipment of the aircraft intended to be used meets the minimum requirements for the planned operation;
- (d) appropriate and current maps and charts are available; and
- (e) where a two-engine aircraft is used, adequate airports are available with the time and distance limitations.

(2) A person shall not conduct commercial air transport operations on any route or area of operation unless the operations are in accordance with any restrictions imposed by the Authority.

En-route navigational facilities.

53. - (1) An air operator certificate (AOC) holder shall not operate on a proposed route or area that does not have non visual ground aids-

- (a) available over the route for navigating aircraft within the degree of accuracy required for ATC; and
- (b) located to allow navigation to any regular, provisional, refuelling, or alternate airport, within the degree of accuracy necessary for the operation involved.

(2) Non visual ground aids shall not be required for-

- (a) visual flight rules operations; or
- (b) operations on route segments where the use of celestial or other specialised means of navigation is approved by the Authority.

Flight safety documents system

54. - (1) An air operator certificate holder shall establish a flight safety documents system, for the use and guidance of operational personnel.

(2) Guidance on the development and organization of a flight safety documents system is provided in the Sixth schedule.

Safety Programme and Management system

55. - (1) The Authority shall establish a safety programme in order to achieve an acceptable level of safety in the operation of aircraft.

(2) An air operator certificate (AOC) holder operating a [State] registered aircraft flying for the purpose of commercial air transport shall establish and maintain a safety management system accepted by the Authority.

- (3) The safety management system referred to in sub-regulation (2) shall-
 - (a) identify actual and potential safety hazards;
 - (b) ensure that remedial action necessary to maintain an acceptable level of safety is implemented; and
 - (c) provide for continuous monitoring and regular assessment of the safety level achieved; and
 - (d) make continuous improvement to the overall level of safety.

(3) An AOC holder operating a [State] registered aircraft with a maximum certificated take off mass authorised of more than 27,000 kg flying for the purpose of commercial air transport shall include a flight data monitoring programme as part of its safety management system.

(4) A flight data analysis programme shall be non-punitive and contain adequate safeguards to protect the source of the data.

(5) A safety management system shall clearly define lines of safety accountability throughout the operator's organization, including a direct accountability for safety on the part of senior management.

(7) The AOC holder shall, as part of certification requirements, submit an SMS manual to the Authority for approval and shall include:

- (a) a scope of safety management system
- (b) the safety policy and objectives;
- (c) safety accountabilities;
- (d) key safety personnel;
- (e) documentation control procedures;
- (f) coordination of emergency response planning;
- (g) hazards identification and safety risk management schemes;
- (h) safety assurance;
- (i) safety performance monetary;
- (j) safety audit;
- (k) management of change;
- (l) safety promotion; and
- (m) contacted activities.

PART V AOC MAINTENANCE REQUIREMENTS

Maintenance
responsibility

56. -(1) An air operator certificate (AOC) holder shall ensure the airworthiness of its aircraft and the serviceability of both operational and emergency equipment by-

- (a) carrying out pre-flight inspections;
- (b) correcting any defect or damage affecting safe operation of the aircraft to an approved standard, taking into account the minimum equipment list and configuration deviation list if available for the aircraft type;
- (c) carrying out maintenance on the aircraft in accordance with the approved operator's aircraft maintenance programme;
- (d) analysing of the effectiveness of the AOC holder's approved aircraft maintenance programme;
- (e) effecting the provisions of any operational directive, airworthiness directive and any other continued airworthiness requirement made mandatory by the Authority; and

- (f) carrying out modifications in accordance with an approved standard and establishing an embodiment policy for non-mandatory modifications.
- (2) An AOC holder shall ensure that the certificate of airworthiness for each aircraft operated remains valid in respect of-
 - (a) the requirements specified in sub-regulation (1);
 - (b) the expiry date of the certificate of airworthiness; and
 - (c) any other maintenance condition specified in the certificate of airworthiness.
- (3) AOC holder shall ensure that the requirements specified in sub-regulation (1) are performed in accordance with procedures approved by or acceptable to the Authority.
- (4) An AOC holder shall ensure that the maintenance, preventive maintenance and modification of its aircraft or aircraft component are performed in accordance with its maintenance control manual or current instructions for continued airworthiness, and applicable civil aviation regulations.
- (5) An AOC holder may make an arrangement with another person for the performance of any maintenance, preventive maintenance or modifications but shall remain responsible for all work performed under the arrangement.
- (6) Operators shall ensure that, in accordance with procedures acceptable to the State of Registry, the operational and emergency equipment necessary for the intended flight is serviceable.
- (7) The owner of an aeroplane, or in the case where it is leased, the lessee, shall ensure that, in accordance with procedures acceptable to the State of Registry.
- (8) The maintenance of the helicopter shall be performed in accordance with a maintenance programme acceptable to the State of Registry.
- (9) The owner of an aeroplane, or in the case where it is leased, the lessee, shall ensure that, the certificate of airworthiness of the aeroplane remains valid in accordance with procedures acceptable to the State of Registry.

Approval and acceptance of AOC maintenance systems

- 57.** -(1) Except for pre-flight inspections, an air operator certificate holder shall not operate an aircraft-
- (a) registered in the [State] unless it is maintained and released to service by an AMO approved in accordance with the Civil Aviation (Approved Maintenance Organization) Regulations,
 - and
 - (b) of foreign registry unless it is maintained and released to service in accordance with a system approved by the State of Registry and is acceptable to the Authority;
- (2) The State of Registry may transfer some or all its responsibility for foreign registered aircraft operating in the [State] under an agreement entered into pursuant to Article 83*bis* of Chicago Convention.

Maintenance control manual.

- 58.** -(1) An air operator certificate (AOC) holder shall provide to the Authority, and to the State of Registry of the aircraft, if different from the Authority, the AOC holder's maintenance control manual and subsequent amendments, for the use and guidance of maintenance and operational personnel concerned, containing details of the organisation's structure including-
- (a) the accountable manager and Director of Maintenance responsible for the maintenance system as required by Regulation 13;

- (b) procedures to be followed to satisfy the maintenance responsibility required under Regulation 56, except where the AOC holder is an AMO, and the quality functions are specified in Regulation 16, such procedures may be included in the AMO procedures manual;
 - (c) procedures for the reporting of failures, malfunctions, and defects in accordance with the Civil Aviation (Airworthiness) Regulations to the Authority, State of Registry and the State of Design within seventy two hours of discovery;
 - (d) items that warrant immediate notification to the Authority by telephone, telex or fax, with a written follow-on report as soon as possible but no later than within seventy two hours of discovery, which are-
 - (i) primary structural failure,
 - (ii) control system failure,
 - (iii) fire in the aircraft,
 - (iv) engine structure failure, or
 - (v) any other condition considered an imminent hazard to safety.
- (2) An AOC holder's maintenance control manual shall contain the following information which may be issued in separate parts-
- (a) a description of the administrative agreements between the AOC holder and an AMO;
 - (b) a description of the maintenance procedures and the procedures for completing and signing the certificate of release to service;
 - (c) a description of the procedures to ensure each aircraft an AOC holder operates is in an airworthy condition;
 - (d) a description of the procedures to ensure the operational emergency equipment for each flight is serviceable;
 - (e) the names and duties of the person or persons required to ensure that all maintenance is carried out in accordance with the maintenance control manual;
 - (f) a reference to the maintenance programme required under Regulation 66;
 - (g) a description of the methods for completion and retention of the operator's maintenance records required by Regulation 63;
 - (h) a description of the procedures for monitoring, assessing and reporting maintenance and operational experience for all aircraft of a maximum certificated take-off mass of over 5,700kg ;
 - (i) a description of the procedures for obtaining and assessing continued airworthiness information and implementing any resulting actions for all aircraft with a maximum certificated take-off mass of over 5,700kg, from the organisation responsible for the type design, and shall implement such actions considered necessary by the State of Registry;
 - (j) a system of ensuring that any fault, malfunctions, defects and other occurrences that cause or might cause adverse effects on the continuing airworthiness of aeroplanes with a maximum certificated take-off mass of over 5,700kg and helicopters 3,180kg and above maximum certificated take-off mass shall be transmitted to the organization responsible for the type design of that aeroplane or helicopter;
 - (k) a description of the procedures for implementing mandatory continuing airworthiness information as required in Regulation 56;

- (l) a description of establishing and maintaining a system of analysis and continued monitoring of the performance and efficiency of the maintenance programme in order to correct any deficiency in that programme;
 - (m) a description of aircraft types and models to which the manual applies;
 - (n) a description of procedures for ensuring that unserviceabilities affecting airworthiness are recorded and rectified; and
 - (o) a description of the procedures for advising the State of Registry and the State of the Operator of significant in- service occurrences.
 - (p) An AOC holder shall not provide for use of its personnel in commercial air transport, a maintenance control manual or its part that has not been reviewed and approved by the Authority.
- (3) An AOC holder or applicant for an AOC shall submit and maintain a maintenance control manual containing at least the information set out in the seventh Schedule to these Regulations.
- (4) The operator shall provide the State of the Operator and the State of Registry with a copy of the operator's maintenance control manual, together with all amendments or revisions to it and shall incorporate in it such mandatory material as the State of the Operator or the State of Registry may require.

Maintenance management.

59. -(1) An air operator certificate (AOC) holder, approved as an approved maintenance organisation (AMO), may carry out the requirements in regulation 56.

(2) An AOC holder shall employ a person or a group of persons, acceptable to the Authority, to ensure that all maintenance is carried out on time to an approved standard such that the maintenance requirements of Regulation 56 and requirements of the AOC holder's maintenance control manual are satisfied, and to ensure the functioning of the quality system.

(3) An AOC holder shall provide suitable office accommodation at appropriate locations for the personnel specified in sub-regulation (2).

(4) Where an AOC holder is not an AMO, the AOC holder shall make arrangements with an AMO to carry out the requirement of regulation 56.

(5) The arrangement made pursuant to sub-regulation (4) shall be in the form of a written maintenance contract between the AOC holder and the AMO detailing the required maintenance functions and defining the support of the quality functions approved or accepted by the Authority.

Quality system: maintenance

60. -(1) For maintenance purposes, an air operator certificate (AOC) holder's quality system required under Regulation 16 shall-

(a) include at least the following functions-

- (i) monitoring that the activities of regulation 56 are being performed in accordance with the accepted procedures;
- (ii) ensure that all contracted maintenance is carried out in accordance with the contract;
- (iii) monitoring compliance with, and adequacy of, procedures required to ensure safe maintenance practices, airworthy aircraft and aircraft components.
- (iv) monitoring the continued compliance with the requirements of these Regulations; and

(b) shall include a quality assurance programme that contains procedures designed to verify that all maintenance operations are being conducted in accordance with all applicable requirements, standards and procedures.

(2) Compliance monitoring as referred to in sub-regulation (1) shall include a feed-back system to the accountable manager to ensure corrective action as necessary.

(3) Where an AOC holder is also an approved maintenance organisation (AMO), the AOC holder's quality management system may be combined with the requirements of an AMO and submitted for approval and acceptance to the Authority, and State of Registry for aircraft not registered in the [State].

(4) An AOC holder shall establish a plan acceptable to the Authority indicating when and how often the activities as required in regulation 56 may be monitored.

(5) Reports shall be made upon completion of monitoring of activities including details of discrepancies of non-compliance with procedures or requirements.

(6) The feedback part of the system shall specify the person responsible for rectifying discrepancies and non-compliance in each particular case, the procedure to be followed if rectification is not completed within appropriate time scales, and a system of reporting to the accountable manager.

(7) To ensure effective compliance with this regulation, an AOC holder or an applicant for an AOC shall carry out-

- (a) product sampling ; the part inspection of a representative sample of the aircraft fleet;
- (b) defect sampling ; the monitoring of defect rectification performance;
- (c) concession sampling ; the monitoring of any concession not to carry out maintenance on time;
- (d) on time maintenance sampling ; the monitoring of when flying hours, calendar time and flight cycles, of the aircraft and the components are brought in for maintenance; and
- (e) sample reports of unairworthy conditions and maintenance errors on aircraft and components

Technical
logbook

61. - (1) An air operator certificate (AOC) holder shall ensure that every [State] registered aircraft used for commercial air transport or aerial work maintains a technical logbook.

(2) The following particulars shall be entered in the technical logbook-

- (a) a title page with the name and address of the operator, the aircraft type, and registration marks;
- (b) details relating to the current certificate of release to service ;
- (c) details relating to the next inspection on the approved maintenance schedule ;
- (d) a section containing sector record pages, each page being serially numbered with the operator's name printed thereon and having a provision for recording the following-
 - (i) aircraft type, serial number and registration marks;
 - (ii) date, place and time of take-off and landing;
 - (iii) particulars of any defect experienced on the aircraft;
 - (iv) the fuel and oil quantities on arrival and quantities uplifted in each tank;
 - (v) a certificate of release to service in respect of any work performed for the purpose of rectifying defects;
 - (vi) the running total of flying hours, such that the hours to the next scheduled inspection can be easily determined; and
 - (vii) provision for pre-flight and daily inspection signatures;

- (e) a readily identifiable section containing a record of deferred defects with serially numbered pages and the operator's name printed thereon including a provision for recording the following-
 - (i) a cross-reference for each deferred defect such that the original defect together with brief related details can be clearly identified in the sector record section;
 - (ii) the original date of occurrence of the deferred defect, together with brief related details; and
 - (iii) a cross-reference for each deferred defect such that the action in respect of such deferred defect can be clearly identified in the sector record section.
 - (g) the number of landings, flight pressure cycles or engine cycles as specified for that aircraft; and
 - (h) any other details as the Authority may require.
- (3) The technical log and any subsequent amendment shall be approved by the Authority.

Technical logbook entries.

62. - (1) At the end of every flight, the pilot-in-command (PIC) shall enter, sign and date the following information in a technical logbook-

- (a) the times when the aircraft took off and landed; and
- (b) particulars of any defect which is known to him and which affects the airworthiness or safe operation of the aircraft, or if no such defect is known to him, an entry to that effect.

(2) Notwithstanding sub-regulation (1), in the case of a number of consecutive flights each of which begins and ends-

- (a) within the same period of 24 hours;
- (b) at the same aerodrome except where each such flight is for the purpose of dropping or projecting any material for agricultural, public health or similar purposes; and
- (c) with the same person as the PIC, the PIC may, except where he becomes aware of a defect during an earlier flight, make the entries in a technical logbook at the end of the last of such consecutive flights.

(3) Upon the rectification of any defect which has been entered in a technical logbook a person signing a maintenance release in respect of that defect shall enter the release in the technical logbook in such a position as to be readily identifiable with the defect to which it relates.

(4) An air operator certificate holder shall have in the approved Operations Manual a procedure for keeping adequate copies of technical logbook to be carried on board the aircraft in a place readily accessible to each flight crew member.

Maintenance records.

63. - (1) An air operator certificate (AOC) holder shall ensure that a system has been established to keep the following records, in a form acceptable to the Authority-

- (a) the total time in service in hours, calendar time and cycles, as appropriate, of the aircraft and all its life-limited components;
- (b) the current status of compliance with all mandatory continuing airworthiness information;
- (c) appropriate details of modifications and repairs to the aircraft and its major components;

- (d) the time in service in hours, calendar time and cycles, as appropriate, since last overhaul of the aircraft or its components subject to mandatory overhaul life;
 - (e) the current aircraft status of compliance with the maintenance programme;
 - (f) the detailed maintenance records to show that all requirements for signing of a certificate of release to service have been met;
 - (g) the detailed maintenance records to show that all requirements for the signing of a maintenance release have been met; and
 - (h) technical logbook records.
- (2) An AOC holder shall ensure that-
- (a) the records specified in sub-regulation (1)(a) to (e) are kept for a minimum period of ninety days after the unit to which they refer has been permanently withdrawn from service;
 - (b) the records referred to in sub-regulation (1)(f) are kept for a minimum of two years after the signing of the certificate of release to service;
 - (c) the records referred to in sub-regulation (1)(g) are retained for twenty four months after the date of the last entry;
 - (d) in the event of temporary change of operator, the records specified in sub-regulation (1) are made available to the new operator;
 - (e) copies of all amendments to the operator's maintenance control manual shall be furnished promptly to all organizations or persons to whom the manual has been issued; and
 - (f) when an aircraft is permanently transferred from one operator to another operator, the records specified in sub-regulation (1) are also transferred.
- (3) The records in sub regulation (2)(f) for a minimum period of one year after the signing of the maintenance release.

Release to service or maintenance section records of the technical logbook

64. - (1) An air operator certificate (AOC) holder shall not operate an aircraft unless it is maintained and released to service by an organisation approved in accordance with the Civil Aviation (Approved Maintenance Organisation) Regulations, acceptable to the State of Registry.

(2) The owner or the lessee shall not operate the aeroplane unless it is maintained and released to service under a system acceptable to the State of Registry

(3) An operator shall not operate a helicopter unless it is maintained and released to service by an organization approved in accordance with Annex 6, Part I, 8.7, or under an equivalent system, either of which shall be acceptable to the State of Registry.

(4) The certificate of release to service shall be issued in accordance with the AOC maintenance control manual procedures.

(5) An AOC holder shall not operate an aircraft after release under sub-regulation (1) unless an appropriate entry is made in accordance with the AOC maintenance control manual procedures acceptable to the Authority.

(6) An AOC holder shall give a copy of the certificate of release to service for the aircraft to the PIC or ensure that an entry noting the release is made in the technical logbook.

Modification or repairs to aircraft.

65. - (1) All modifications or repairs to an aircraft shall be made in compliance with the airworthiness requirements acceptable to the State of Registry.

(2) An air operator certificate (AOC) holder shall-

- (a) establish the procedures to ensure that records supporting compliance with the airworthiness requirements are retained;
- (b) ensure that major repair or major modification is carried out in accordance with technical data approved by the Authority;
- (c) promptly, upon completion of a major modification or major repair, prepare a report of each major modification or major repair of an airframe, aircraft engine, propeller or appliance of an aircraft operated by the AOC holder; and
- (d) submit a copy of each report of a major modification to the Authority and keep a copy of each report of a major repair available for inspection.

Aircraft
maintenance
programme.

66. -(1) An air operator certificate (AOC) holder's aircraft maintenance programme and any subsequent amendment shall be submitted to the Authority for approval.

(2) In the case of the foreign registered aircraft the maintenance programme shall be approved by the State of Registry and may be subsequently accepted by the Authority.

(3) In addition to the requirement of a maintenance programme for aircraft operated by an AOC holder, an aircraft with maximum certificated takeoff mass authorised above 13,310 kg shall include a reliability programme in the maintenance programme.

(4) Where a determination is made by the Authority under sub-regulation (3), an AOC holder shall provide the procedures and information in the maintenance control manual.

(5) An AOC holder shall ensure that each aircraft is maintained in accordance with the approved maintenance programme which shall include-

- (a) maintenance tasks and the intervals in which these are to be performed, taking into account the anticipated utilisation of the aircraft;
- (b) where applicable, a continuing structural integrity programme;
- (c) procedures for changing or deviating from paragraphs (a) and (b) as approved by the State of Registry; and
- (d) where applicable, condition monitoring and reliability programme, descriptions for aircraft systems, components and engines.
- (e) where applicable and approved by the State of Registry, condition monitoring and reliability programme descriptions for aircraft systems, components and powerplants.

(6) The owner or the lessee shall ensure that the maintenance of the aeroplane is performed in accordance with a maintenance programme acceptable to the State of Registry.

(7) The Authority may amend any operation specifications (ops specs) issued to an AOC holder to permit deviation from those provisions of this Part that would prevent the return to service and use of airframe components, engines, appliances, and spare parts because the airframe components, engines, appliances and spare parts have been maintained, altered, or inspected by persons employed outside the [State] who do not hold a [State] maintenance engineer's licence.

(8) An AOC holder who is granted authority under this deviation shall provide for surveillance of facilities and practices to assure that all work performed on the airframe components, engines, appliances and spare parts specified in sub-regulation (6) is accomplished in accordance with an AOC holder's maintenance control manual.

(9) Repetitive maintenance tasks that are specified in mandatory intervals as a condition of approval of the type design shall be identified as such.

(10) The maintenance programme shall be based on maintenance programme information made available by the State of Design or by the organisation responsible for the type design, and any additional applicable information, documentation or experience

(11) A person shall not provide for use of its personnel in commercial air transport a maintenance programme or portion thereof which has not been reviewed and approved for the AOC holder by the Authority.

(12) Approval of an AOC holder's maintenance programme and any subsequent amendments shall be noted in the operations specifications.

(13) An AOC holder shall have an inspection programme and a programme covering other maintenance, preventive maintenance, and modifications to ensure that-

- (a) preventive maintenance and modifications are performed in accordance with an AOC holder's maintenance control manual;
- (b) each aircraft released to service is airworthy and has been properly maintained for operation.

(14) copies of all amendments to the maintenance programme shall be furnished promptly to all organizations or persons to whom the maintenance programme has been issued.

(15) An operator shall provide, for the use and guidance of maintenance and operational personnel concerned, a maintenance programme, acceptable to the State of Registry, containing the information required by regulation 66

(16) The design and application of the operator's maintenance programme shall observe human factors principles according to the State of Registry's guidance material.

Maintenance, preventive maintenance and modifications.

67. An air operator certificate (AOC) holder may make arrangements with an appropriately rated AMO for the performance of maintenance, preventive maintenance, or modifications of any aircraft, airframe, aircraft engine, propeller, appliance, or component, or part thereof as provided in its maintenance programme and maintenance control manual.

PART VI AOC SECURITY MANAGEMENT

Security requirements

68. An air operator certificate (AOC) holder shall ensure that all appropriate personnel are familiar and comply with the relevant requirements of the national security programmes of the [State], for the protection of aircraft, facilities and personnel from unlawful interference.

Security training programmes.

69. -(1) An air operator certificate (AOC) holder shall establish and maintain an approved security training programme which ensures crew members act in the most appropriate manner to minimize the consequences of acts of unlawful interference.

(2) The security training programme specified in sub-regulation (1) shall, as a minimum include-

- (a) determination of the seriousness of any occurrence;
- (b) crew communication and coordination;
- (c) appropriate self-defence responses;

- (d) use of non-lethal protective devices assigned to crew members whose use is authorised by the Authority;
- (e) understanding of behaviour of terrorists so as to facilitate the ability of crew members to cope with hijacker behaviour and passenger responses;
- (f) live situational training exercises regarding various threat conditions;
- (g) flight procedures to protect the aircraft; and
- (h) aircraft search procedures and guidance on least-risk bomb locations where practicable.

(3) An AOC holder shall establish and maintain a training programme to acquaint appropriate employees with preventive measures and techniques in relation to passengers, baggage, cargo, mail, equipment, stores and supplies intended for carriage on an aircraft so that they contribute to the prevention of acts of sabotage or other forms of unlawful interference.

Reporting acts of unlawful interference.

70. Following an act of unlawful interference on board an aircraft the pilot-in-command (PIC) or, in the PIC's absence, the air operator certificate holder shall submit, without delay, a report of such an act to the designated local authority and the Authority.

Aircraft search procedure checklist

71. - (1) An air operator certificate (AOC) holder shall ensure that there is on board the AOC holder's aircraft, a checklist of the procedures to be followed in searching for a bomb in case of suspected sabotage and for inspecting aircraft for concealed weapons, explosives or other dangerous devices when a well-founded suspicion exists that the aircraft may be the object of an act of unlawful interference.

(2) The checklist referred to in sub-regulation (1) shall be supported by guidance on the appropriate course of action to be taken should a bomb or suspicious object be found and information on the least-risk bomb location specific to the aircraft.

Security of the flight crew compartment

72. - (1) Where an aircraft is equipped with a flight crew compartment door, this door shall be capable of being locked, and means shall be provided by which cabin crew members can discreetly notify the flight crew in the event of suspicious activity or security breaches in the cabin.

(2) An air operator certificate holder shall ensure that all passengers carrying aircraft of a maximum certificated take-off mass in excess of 45 500 Kg or with a passenger seating capacity greater than sixty shall be equipped with an approved flight crew compartment door that is designed to resist penetration by small arms fire and grenade shrapnel, to resist forcible intrusions by unauthorized persons, and be capable of being locked and unlocked from either pilot's station.

(3) Where an aircraft is equipped with a flight crew compartment door in accordance with sub-regulation (2)-

- (a) the door shall be closed and locked from the time all external doors are closed following embarkation until any such door is opened for disembarkation, except when necessary to permit access and egress by authorized persons; and
- (b) means shall be provided for monitoring from the cockpit the entire door area outside the flight crew compartment to identify persons requesting entry and to detect suspicious behaviour or potential threat.

PART VII
AOC DANGEROUS GOODS MANAGEMENT

Approval to transport dangerous goods.

73. An air operator certificate holder shall not transport dangerous goods unless approved to do so by the Authority and in compliance with the requirements of Regulation 74.

Compliance with Technical Instructions.

74. -(1) An air operator certificate (AOC) holder shall comply with the provisions contained in the ICAO Technical Instructions on all occasions when dangerous goods are carried, irrespective of whether the flight is wholly or partly within or wholly outside the [State].

(2) Where dangerous goods are to be transported outside the [State], the AOC holder shall review and comply with the appropriate variations notified by Contracting States contained in Attachment 3 to the Technical Instructions.

(3) Articles and substances which would otherwise be classified as dangerous goods are excluded from the provisions of this Part, to the extent specified in the Technical Instructions, provided they are-

- (a) required to be on board the aircraft for operating reasons;
- (b) carried as catering or cabin service supplies;
- (c) carried for use in flight as veterinary aid or as a humane killer for an animal; or
- (d) carried for use in flight for medical aid for a patient, provided that-
 - (i) gas cylinders have been manufactured specifically for the purpose of containing and transporting that particular gas;
 - (ii) drugs, medicines and other medical matter are under the control of trained personnel during the time when they are in use in the aircraft;
 - (iii) equipment containing wet cell batteries is kept and, when necessary, secured in an upright position to prevent spillage of the electrolyte; and
 - (iv) proper provision is made to stow and secure all the equipment during take-off and landing and at all other times when deemed necessary by the PIC in the interests of safety; or
 - (v) they are carried by passengers or crew members.

(4) Articles and substances intended as replacements for those specified in sub-regulation (3)(a) may be transported on an aircraft as specified in the Technical Instructions.

Limitations on the transport of dangerous goods

75. -(1) An air operator certificate (AOC) holder shall take reasonable measures to ensure that articles and substances that are specifically identified by name or generic description in the Technical Instructions as being forbidden for transport under any circumstances are not carried on any aircraft.

(2) An AOC holder shall take reasonable measures to ensure that articles and substances or other goods that are identified in the Technical Instructions as being forbidden for transport in normal circumstances are transported only when-

- (a) they are exempted by the Contracting States concerned under the provisions of the Technical Instructions; or
- (b) the Technical Instructions indicate they may be transported under an approval issued by the State of Origin of the goods.

Classification of dangerous goods	<p>76. An air operator certificate (AOC) holder shall take all reasonable measures to ensure that articles and substances are classified as dangerous goods as specified in the Technical Instructions.</p>
Packing.	<p>77. An air operator certificate (AOC) holder shall take all reasonable measures to ensure that dangerous goods are packed as specified in the Technical Instructions.</p>
Labelling and marking.	<p>78. - (1) An AOC holder shall take reasonable measures to ensure that packages, overpacks and freight containers are labelled and marked as specified in the Technical Instructions.</p> <p>(2) Where dangerous goods are carried on a flight which takes place wholly or partly outside the [State], the AOC holder shall ensure that labelling and marking are in the English and Kiswahili languages.</p>
Dangerous goods transport document	<p>79. - (1) Except where otherwise specified in the Technical Instructions, an air operator certificate (AOC) holder shall ensure that, dangerous goods are accompanied by a dangerous goods transport document.</p> <p>(2) Where dangerous goods are carried on a flight which takes place wholly or partly outside the [State], an AOC holder shall ensure that the English and Kiswahili languages are used for the dangerous goods transport document.</p>
Acceptance of dangerous goods	<p>80. - (1) An air operator certificate (AOC) holder shall not accept dangerous goods for transport unless the package, overpack or freight container has been inspected in accordance with the acceptance procedures as stipulated in the Technical Instructions.</p>
Inspection for damage, leakage or contamination.	<p>81. An air operator certificate (AOC) holder shall ensure that-</p> <ul style="list-style-type: none"> (a) packages, overpacks and freight containers are inspected for evidence of leakage or damage immediately prior to loading on an aircraft or into a unit load device (ULD), as specified in the Technical Instructions; (b) a unit load device is not loaded on an aircraft unless it has been inspected as required by the Technical Instructions and found free from any evidence of leakage from, or damage to, the dangerous goods contained therein; (c) leaking or damaged packages, overpacks or freight containers are not loaded on an aircraft; (d) any package of dangerous goods found on an aircraft and which appears to be damaged or leaking is removed or arrangements made for its removal by an appropriate authority or organisation; (e) after removal of any leaking or damaged goods, the remainder of the consignment is inspected to ensure it is in a proper condition for transport and that no damage or contamination has occurred to the aircraft or its load; and (f) packages, overpacks and freight containers are inspected for signs of damage or leakage upon unloading from an aircraft or from a unit load device and, if there is evidence of damage or leakage, the area where the dangerous goods were stowed shall be inspected for damage or contamination.

Removal of contamination.

82. An air operator certificate holder shall ensure that-

- (a) any contamination found as a result of the leakage or damage of dangerous goods is removed without delay; and
- (b) an aircraft which has been contaminated by radioactive materials is immediately taken out of service and not returned until the radiation level at any accessible surface and the non-fixed contamination are not more than the values specified in the Technical Instructions.

Loading restrictions

83. An air operator certificate holder shall ensure that-

- (a) dangerous goods are not carried in an aircraft cabin occupied by passengers or in the cockpit, unless otherwise specified in the Technical Instructions;
- (b) dangerous goods are loaded, segregated, stowed and secured on an aircraft as specified in the Technical Instructions; and
- (c) packages of dangerous goods bearing the "Cargo Aircraft Only" label are carried on cargo aircraft and loaded as specified in the Technical Instructions.

Provision of information.

84. -(1) An air operator certificate (AOC) holder shall ensure that:

- (a) information is provided to enable ground staff to carry out their duties with regard to the transport of dangerous goods, including the actions to be taken in the event of incidents and accidents involving dangerous goods; and
- (b) where applicable, the information referred to in paragraph (a) is also provided to the handling agent.

(2) An AOC holder shall ensure that information is promulgated as required by the Technical Instructions so that passengers are warned as to the types of goods which they are forbidden from transporting on board an aircraft and, where applicable, the handling agent shall ensure that notices are provided at acceptance points for cargo giving information about the

(3) An AOC holder shall ensure that information is provided in the operations manual to enable crew members to carry out their responsibilities in regard to the transport of dangerous goods, including the actions to be taken in the event of emergencies involving dangerous goods.

(4) An AOC holder shall ensure that the PIC is provided with written information on dangerous goods carried on board the aircraft in the manner and form specified in the Technical Instructions.

(5) An AOC holder that is involved in an aircraft incident or accident shall-

- (a) as soon as possible, inform the Authority and the appropriate authority of the State in which the aircraft incident or accident occurred of any dangerous goods carried; and
- (b) on request by the Authority, provide any information required to minimise the hazards created by any dangerous goods carried.

Training programmes.

85. -(1) An air operator certificate (AOC) holder shall establish, maintain, and have approved by the Authority, staff training programmes, as required by the Technical Instructions.

(2) An AOC holder not holding a permanent approval to carry dangerous goods shall ensure that-

- (a) staff who are engaged in general cargo handling have received training to carry out their duties in respect of dangerous goods which covers as a minimum, the areas identified in Column 1 of Table 1 to a depth sufficient to ensure that an awareness is gained of the hazards associated with dangerous goods, how to identify such goods and what requests apply to the carriage of such goods by passengers; and
- (b) crew members, passenger handling staff, and security staff used by an AOC holder to deal with the screening of passengers and their baggage, have received training which covers as a minimum, the areas identified in Column 2 of Table 1 to a depth sufficient to ensure that an awareness is gained of the hazards associated with dangerous goods, how to identify them and what requirements apply to the carriage of such goods by passengers.

TABLE 1

Areas of Training	Column 1	Column 2
General philosophy	X	X
(g) Limitations on dangerous goods in air transport		X
Package marking and labelling	X	X
Dangerous goods in passengers baggage	X	X
Emergency procedures	X	X

Note: 'X' indicates an area to be covered.

(3) An AOC holder holding a permanent approval to carry dangerous goods shall ensure that-

- (a) staff who are engaged in the acceptance of dangerous goods have received training and are qualified to carry out their duties which covers as a minimum, the areas identified in Column 1 of Table 2 to a depth sufficient to ensure the staff can take decisions on the acceptance or refusal of dangerous goods offered for carriage by air;
- (b) staff who are engaged in ground handling, storage and loading of dangerous goods have received training to enable them to carry out their duties in respect of dangerous goods which covers as a minimum, the areas identified in Column 2 of Table 2 to a depth sufficient to ensure that an awareness is gained of the hazards associated with dangerous goods, how to identify such goods and how to handle and load them;
- (c) staff who are engaged in general cargo handling have received training to enable them to carry out their duties in respect of dangerous goods which covers as a minimum, the areas identified in Column 3 of Table 2 to a depth sufficient to ensure that an awareness is gained of the hazards associated with dangerous goods, how to identify such goods and how to handle and load them;
- (d) flight crew members have received training which covers as a

minimum, the areas identified in Column 4 of Table 2 to a depth sufficient to ensure that an awareness is gained of the hazards associated with dangerous goods and how they should be carried on an aircraft; and

- (e) passenger handling staff and security staff used by the AOC operator who deal with the screening of passengers and their baggage and crew members, other than flight crew members, have received training which covers as a minimum, the areas identified in Column 5 of Table 2 to a depth sufficient to ensure that an awareness is gained of the hazards associated with dangerous goods and the requirements that apply to the carriage of such goods by passengers or, more generally, their carriage on an aircraft.

Areas Of Training	Column 1	Column 2	Column 3	Column 4	Column 5
General philosophy	X	X	X	X	X
Limitations on dangerous goods in the air transport	X	X		X	X
Classification and list of dangerous goods	X	X		X	
General packing requirements and packing instructions	X				
Packaging specifications marking	X				
Package marking and labelling	X	X	X	X	X
Documentation from the shipper	X				
Acceptance of dangerous goods, including the use of a checklist	X				
Loading, restrictions on loading and segregation	X	X	X	X	
Inspections for damage or leakage and decontamination procedures	X	X			
Provision of information to the PIC	X	X		X	
Dangerous goods in passengers' baggage	X			X	X
Emergency procedures	X	X	X	X	X
<i>Note: "X" indicates an area to be covered</i>					

(4) An AOC holder shall ensure that-

- (a) all staff who require dangerous goods training receive recurrent training at intervals of not longer than two years;
- (b) the records of dangerous goods training are maintained for all staff trained in accordance with the provisions of this regulation; and
- (c) his handling agent's staff are trained in accordance with the applicable column of Table 1 or Table 2.

Dangerous goods incident and accident reports.

- 86.** An air operator certificate holder shall report to the Authority-
- (a) dangerous goods incidents and accidents; and
 - (b) undeclared or misdeclared dangerous goods discovered in the cargo or passenger baggage within seventy two hours of the incident, accident or discovery unless exceptional circumstances prevent such reporting within the time stipulated.

PART VIII EXEMPTIONS

Requirements for Application

87. - (1) A person may apply to the Authority for an exemption from the application of any of the provisions of these Regulations.

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

(3) A request for an exemption must 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 prescribed by the Authority, for technical evaluation.

Substance of the request for exemption.

88. - (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, benefit 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;
- (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; and
- (h) if the applicant seeks to operate under the proposed exemption outside of the [State]'s airspace, an indication whether the exemption would contravene any provision of the Standards and

Recommended Practices of the International Civil Aviation Organization (ICAO) as well as the Regulations pertaining to the airspace in which the operation will occur.

(2) Where the applicant seeks expeditious processing, the application shall contain supporting facts and reasons that 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 in a timely fashion.

Review, Publication and Issue or Denial of Exemptions.

Initial
review by
the
Authority

89. - (1) The Authority shall review the application for accuracy and compliance with the requirements of Regulations 87 and 88.

(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 in either the [State] *Gazette*, aeronautical information circular or at least one local daily newspaper for comment and specify the date by which comments must be received by the Authority for consideration.

(3) Where the filing requirements of Regulations 87 and 88 have not been met, the Authority will notify the applicant and take no further action until and unless 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 Authority's decision as soon as possible after processing the application.

Evaluation
of the
request.

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

- (a) determination of whether an exemption would be in the public interest;
- (b) a determination, after a technical evaluation of whether the applicant's proposal 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 Authority's technical resources, the Authority may deny the exemption on that basis;
- (c) a determination of whether a grant of the exemption would contravene the applicable ICAO Standards and Recommended Practices; and
- (d) a recommendation based on the preceding elements, of 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 the [State] the Authority shall publish the summary in aeronautical information circular.

**PART IX
GENERAL PROVISIONS**

Possession of the licence **91.** - (1) A holder of a licence, certificate or authorisation issued by the Authority shall have in his physical possession or at the work site when exercising the privileges of that licence, certificate or authorisation.

(2) A flight crew of a foreign registered aircraft shall hold a valid licence, certificate or authorisation and have in his physical possession or at the work site when exercising the privileges of that licence, certificate or authorisation.

Drug and alcohol testing and reporting. **92.** - (1) Any person who performs any function requiring a licence, rating, qualification, or authorisation prescribed by these Regulations directly or by contract under the provisions of these Regulations may be tested for drug or alcohol usage.

(2) Where the Authority or any person authorised 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 authorise the release of the test results the Authority may suspend or revoke the certificate of the air operator certificate (AOC) holder that employs that person.

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

(a) whether the AOC holder had knowledge of the drug or alcohol use;

(b) whether the AOC holder encourage the person to refuse the drug or alcohol test;

(c) whether the AOC holder dismissed the person who failed or refused the drug tests; or

(d) the position that person held with the AOC holder

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

(5) A person who is convicted, whether in or outside the [State], 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 AOC holder.

(6) The Authority may suspend or revoke the certificate of an AOC holder that refuses to dismiss from its employment a person convicted under sub regulation (3)

Inspection of licences and certificates. **93.** A person who holds a licence, certificate, or authorisation required by these Regulations shall present it for inspection upon a request from the Authority or any other person authorised by the Authority.

- Change of Name. **94.** - (1) A holder of a licence, certificate or authorisation issued under these Regulations may apply to change the name on a license or certificate.
- (2) The holder shall include with any such request:-
- (a) the current license or certificate; and
- (b) a court order, or other legal document verifying the name change
- (3) The Authority may change the licence, certificate or authorisation and issue a replacement thereof;
- (4) The Authority shall return to the holder the original documents specified in sub-regulation 2(b) and retain copies thereof and return the replaced licence, certificate or authorisation with the appropriate endorsement.
- Change of Address. **95.** -(1) A holder of a certificate, or authorisation 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 fourteen days in advance; and
- (b) mailing address upon the change;
- (2) A person who does not 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 authorisation.
- Replacement of documents. **96.** A person may apply to the Authority in the prescribed form for replacement of documents issued under these Regulations if such documents are lost or destroyed.
- Certificate Suspension and Revocations. **97.** -(1) The Authority may, where it considers it to be in the public interest, suspend provisionally, pending further investigation, any certificate, approval, permission, exemption, authorisation or 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, approval, permission, exemption 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 or aircraft from flying.
- (4) A holder or any person having the possession or custody of any certificate, approval, permission, exemption 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, approval, permission, exemption or any 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 documents and records. **98.** -(1) A person shall not-
- (a) use any certificate, approval, permission, exemption or such other document issued or required by or under these Regulations which has been forged, altered, revoked, or suspended, or to which he is not entitled; or

- (b) forge or alter any certificate, approval, permission, exemption or such other document issued or required by or under these Regulations; or
 - (c) lend any certificate, approval, permission, exemption or such 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 himself or any other person the grant issue renewal or variation of any such certificate, approval, permission or exemption or such other document.
 - (e) During the period for which it is required under these Regulations to be preserved, a person shall not mutilate, alter, render illegible or destroy any records, or any entry made therein, required by or under these Regulations to be maintained, or knowingly make, or procure or assist in the making of, any false entry in any such record, or wilfully omit to make a material entry in such record.
- (3) All records required to be maintained by or under these Regulations shall be recorded in a permanent and indelible material.
- (4) A person purport shall not issue any certificate, document or exemption under these Regulations unless he is authorised to do so by the Authority.
- (5) A person shall not issue any certificate of the kind referred to in sub-regulation (4) unless he has satisfied himself that all statements in the certificate are correct, and that the applicant is qualified to hold that certificate.

Reports of violation.
Cap. 80

99. - (1) Any person who knows of a violation of the Civil Aviation Act any amendment thereto, or any rule, Regulation, or order issued there under, 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

100. Any person who fails to comply with any direction given to him by the Authority or by any authorised person under any provision of these Regulations shall be deemed for the purposes of these Regulations to have contravened that provision.

Aeronautical user fees

101. -(1) The Authority may notify the fees to be charged in connection with the issue, validation, renewal, extension or variation of any certificate, licence or such other document, including the issue of a copy thereof, or the undergoing of any examination, test, inspection or investigation or the grant of any permission or approval, required by, or for the purpose of these Regulations any orders, notices or proclamations made thereunder.

(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 accepted, 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.

Application of regulations to Government and visiting forces, etc.

102. -(1) These Regulations shall apply to aircraft, not being military aircraft, belonging to or exclusively employed in the service of the Government, and for the purposes of such application, the Department or other authority for the time being responsible for management of the aircraft shall be deemed to be the operator of the aircraft, and in the case of an aircraft belonging to the Government, to be the owner of the interest of the Government in the aircraft.

(2) Except as otherwise expressly provided, the naval, military and air force authorities and member of any visiting force and property held or used for the purpose of such a force shall be exempt from the provision of these regulations to the same extent as if the visiting force formed part of the military force of the [State].

Extra-
territorial
application
of
Regulation
s

103. Except where the context otherwise requires, the provisions of these Regulations shall-

- (a) in so far as they apply, whether by express reference or otherwise, to aircraft registered in [State], apply to such aircraft wherever they may be;
- (b) in so far as they apply, whether by express reference or otherwise, to other aircraft, apply to such aircraft when they are within the [State];
- (c) in so far as they prohibit, require or regulate, whether by express reference or otherwise, the doing of anything by any person in, or by any of the crew of, any aircraft registered in [State], shall apply to such persons and crew, wherever they may be; and
- (d) in so far as they prohibit, require or regulate, whether by express reference or otherwise, the doing of anything in relation to any aircraft registered in [State] by other persons shall, where such persons are citizens of the [State], apply to them wherever they may be.

PART X
OFFENCES AND PENALTIES

Contravention
of
Regulations

104. A person who contravenes any provision of these Regulations may have his licence, certificate, approval, authorisation, exemption or other such document revoked or suspended.

Penalties

105. -(1) A person who contravenes any provision of these Regulations, orders, notices or proclamations made there under 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 he shall, without prejudice to the liability of any other person under these Regulations for that contravention, be deemed for the purposes of the following provisions of this Regulation to have contravened that provision unless he proves that the contravention occurred without his consent or connivance and that he exercised all due diligence to prevent the contravention.

(2) If it is proved that an act or omission of any person, which would otherwise have been a contravention by that person of a provision of these Regulations, orders, notices or proclamations made there under was due to any cause not avoidable by the exercise of reasonable care by that person, the act or omission shall be deemed not to be a contravention by that person of that provision.

(3) Where a person is charged with contravening a provision of these Regulations orders, notices or proclamations made there under by reason of his having been a member of the flight crew of an aircraft on a flight for the purpose of commercial air transport operations, the flight shall be treated, without prejudice to the liability of any other person under these Regulations, as not having been for that purpose if he proves that he neither knew nor had reason to know that the flight was for that purpose.

(4) A person who contravenes any provision of these Regulations, orders, notices or proclamations made thereunder not being a provision referred to in sub-regulation (9) shall, upon conviction, be liable to a fine, and in the case of a continuing contravention, each day of the contravention shall constitute a separate offence.

(5) In case an aircraft is involved in a contravention and the contravention is by the owner or operator of the aircraft, the aircraft shall be subject to a lien for the penalty.

(6) Any aircraft subject to alien for the purpose of sub-regulation (5) may be seized by and placed in the custody of the Authority;

(7) The aircraft shall be released from custody of the Authority upon-

- (a) payment of the penalty or the amount agreed upon in compromise;
- (b) deposit of a bond in such amount as the Authority may prescribe, conditioned upon payment of the penalty or the amount agreed upon in compromise;
- (c) receiving an order of the court to that effect.

(8) The Authority and any person specifically authorised by name by him or any police officer not below the rank of inspector specifically authorised by name by the Minister, may compound offences under Part A of the Schedule to these Regulations by assessing the contravention and requiring the person reasonably suspected of having committed the offence to pay to the Authority a sum equivalent in [State] shillings of one hundred United States dollars and three hundred United States dollars for provisions referred to in sub-part (i) and sub-part (ii) respectively in Part A of the Schedule to these Regulations.

(9) If any person contravenes any provision specified in Part B of the Schedule to these Regulations, upon conviction is liable to a fine not less than the equivalent in [State] Shillings of one thousand United States Dollars or to imprisonment for a term of twelve months or to both.

(10) Where any person is aggrieved by any order made under sub-regulation (8), he may, within twenty one days of such order being made, appeal against the order to a higher court and the provisions of Part X of the Criminal Procedure Act, shall apply mutatis mutandis, to every such appeal as if it were an appeal against a sentence passed by a district court in the exercise of its original jurisdiction.

Cap. 20

Uganda

83. (1) If any provision of these Regulations, orders, notices or proclamations made thereunder 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 for the purposes of the following provisions of this regulation to have contravened that provision unless he proves that the contravention occurred without his consent or connivance and that he exercised all due diligence to prevent the contravention.
- (2) Any person who contravenes any provision specified as an “A” provision in the First Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable to a fine not exceeding one million shillings for each offence or each flight or to imprisonment for a term not exceeding one year or to both.
- (3) Any person who contravenes any provision specified as a “B” provision in the First Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable to a fine not exceeding two million shillings for each offence or each flight or to imprisonment for a term not exceeding three years or to both.

Kenya

54. (1) If any provision of these Regulations, orders, notices or proclamations made under the 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 he proves that the contravention occurred without his consent or connivance and that he or she exercised all due diligence to prevent the contravention.
- (2) A person who contravenes any provision specified as an “A” provision in the Fourth Schedule to these Regulations commits an offence and is liable on conviction to a fine not exceeding one million shillings for each offence and 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 Fourth Schedule to these Regulations commits an offence and is liable on conviction to a fine not exceeding two million shillings for each offence and 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 Fourth Schedule to these Regulations commits an offence and is liable on conviction to a fine not exceeding two million shillings, and in the case of a second or subsequent conviction for the like offence to a fine not exceeding four million shillings.

FIRST SCHEDULE

AIR OPERATOR CERTIFICATE (AOC)

AIR OPERATOR CERTIFICATE		
1	STATE OF THE OPERATOR ISSUING AUTHORITY	1
AOC #4: Expiry date5	OPERATOR NAME Db a trading name7: Operator address8: Telephone9: Fax: E-mail:	OPERATIONAL POINTS OF CONTACT Contact details, at which operational management can be contacted without undue delay, are listed in 11.
This certificate certifies that _____ 12 is authorized to perform commercial air operations, as defined in the attached operations specifications, in accordance with the operations manual and the _____ 13 .		
Date of issue14	Name and signature15: Title:	

Notes.—

1. For use of the State of the Operator.
2. Replace by the name of the State of the Operator.
3. Replace by the identification of the issuing authority of the State of the Operator.
4. Unique AOC number, as issued by the State of the Operator.
5. Date after which the AOC ceases to be valid (dd-mm-yyyy).
6. Replace by the operator’s registered name.
7. Operator’s trading name, if different. Insert “dba” before the trading name (for “doing business as”).
8. Operator’s principal place of business address.
9. Operator’s principal place of business telephone and fax details, including the country code. E-mail to be provided if available.
10. The contact details include the telephone and fax numbers, including the country code, and the e-mail address (if available) at which operational management can be contacted without undue delay for issues related to flight operations, airworthiness, flight and cabin crew competency, dangerous goods and other matters as appropriate.
11. Insert the controlled document, carried on board, in which the contact details are listed, with the appropriate paragraph or page reference, e.g.:
 “Contact details are listed in the operations manual, Gen/Basic, Chapter 1, 1.1” or “... are listed in the operations specifications, page 1” or
 “... are listed in an attachment to this document”.
12. Operator’s registered name.
- 13 Insertion of reference to the appropriate civil aviation regulations.
14. Issuance date of the AOC (dd-mm-yyyy).

15. Title, name and signature of the authority representative. In addition, an official stamp may be applied on the AOC

SECOND SCHEDULE

OPERATIONS SPECIFICATIONS (subject to the approved conditions in the operations manual)				
ISSUING AUTHORITY CONTACT DETAILS¹ Telephone: _____ Fax: _____ E-mail: _____				
AOC#2: _____ Operator name ³ : _____ Date ⁴ : _____ Signature: _____ Db a trading name: _____				
Aircraft model ⁵ : _____				
Types of operation: Commercial air transportation <input type="checkbox"/> Passengers <input type="checkbox"/> Cargo <input type="checkbox"/> Other ⁶ : _____				
Area(s) of operation ⁷ : _____				
Special limitations ⁸ : _____				
SPECIAL AUTHORIZATIONS				
SPECIAL AUTHORIZATIONS	YES	NO	SPECIFIC APPROVALS⁹	REMARKS
Dangerous goods	<input type="checkbox"/>	<input type="checkbox"/>		
Low visibility operations Approach and landing Take-off	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	CAT ¹⁰ : _____ RVR: _____ m DH: _____ ft RVR ¹¹ : _____ m	
RVSM ¹² <input type="checkbox"/> N/A	<input type="checkbox"/>	<input type="checkbox"/>		
ETOPS ¹³ <input type="checkbox"/> N/A	<input type="checkbox"/>	<input type="checkbox"/>	Maximum diversion time ¹⁴ : _____ minutes	
Navigation specifications for PBN operations ¹⁵	<input type="checkbox"/>	<input type="checkbox"/>		16
Continuing airworthiness	<input type="checkbox"/>	<input type="checkbox"/>	17	
Other ¹⁸	<input type="checkbox"/>	<input type="checkbox"/>		

Notes.—

1. Telephone and fax contact details of the authority, including the country code. E-mail to be provided if available.
2. Insert the associated AOC number.
3. Insert the operator's registered name and the operator's trading name, if different. Insert "dba" before the trading name (for "doing business as").
4. Issuance date of the operations specifications (dd-mm-yyyy) and signature of the authority representative.
5. Insert the Commercial Aviation Safety Team (CAST)/ICAO designation of the aircraft make, model and series, or master series, if a series has been designated (e.g. Boeing-737-3K2 or Boeing-777-232). The CAST/ICAO taxonomy is available at: <http://www.intlaviationstandards.org/>.
6. Other type of transportation to be specified (e.g. emergency medical service).
7. List the geographical area(s) of authorized operation (by geographical coordinates or specific routes, flight information region or national or

regional boundaries).

8. List the applicable special limitations (e.g. VFR only, day only).

9. List in this column the most permissive criteria for each approval or the approval type (with appropriate criteria).

10. Insert the applicable precision approach category (CAT I, II, IIIA, IIIB or IIIC). Insert the minimum RVR in metres and decision height in feet. One line is used per listed approach category.

11. Insert the approved minimum take-off RVR in metres. One line per approval may be used if different approvals are granted.

12. "Not applicable (N/A)" box may be checked only if the aircraft maximum ceiling is below FL 290.

13. Extended range operations (ETOPS) currently applies only to twin-engined aircraft.

Therefore the "Not applicable (N/A)" box may be checked if the aircraft model has more than 2 engines. Should the concept be extended to 3 or 4-engined aircraft in the future, the "Yes" or "No" checkbox will be required to be checked.

14. The threshold distance may also be listed (in NM), as well as the engine type.

15. Performance-based navigation (PBN): one line is used for each PBN specification authorization (e.g. RNAV 10, RNAV 1, RNP 4), with appropriate limitations or conditions listed in the "Specific Approvals" and/or "Remarks" columns.

16. Limitations, conditions and regulatory basis for operational approval associated with the performance-based navigation specifications (e.g. GNSS, DME/DME/IRU). Information on performance-based navigation, and guidance concerning the implementation and operational approval process, are contained in the Performance-based Navigation Manual (Doc 9613).

17. Insert the name of the person/organization responsible for ensuring that the continuing airworthiness of the aircraft is maintained and the regulation that requires the work, i.e. within the AOC regulation or a specific approval (e.g. EC2042/2003, Part M, Subpart G).

18. Other authorizations or data can be entered here, using one line (or one multi-line block) per authorization (e.g. special approach authorization, MNPS, approved navigation performance).

THIRD SCHEDULE

Reg 30 (1) and 31 (2)

OPERATIONS MANUAL

An operations manual shall include each item set forth below which is applicable to the specific operation, unless otherwise approved by the Authority.

OPERATIONS MANUAL

(A) GENERAL

1.0 INTRODUCTION

- 1.1 Purpose and scope of manuals
- 1.2 A statement that the manual complies with all applicable Authority regulations and requirements and with the terms and conditions of the applicable Air Operator Certificate.
- 1.3 A statement that the manual contains operational instructions that are to be complied with by the relevant personnel in the performance of their duties.
- 1.4 List of manuals comprising operations manual
- 1.5 A list and brief description of the various operations manual parts, their contents, applicability and use.
- 1.6 Manuals to be carried on aircraft
- 1.7 Responsibility for manual content
- 1.9 Responsibility for manual amendment
- 1.10 List of effective pages
- 1.11 Distribution of manuals and amendments

2.0 MANAGEMENT ORGANIZATION

- 2.1 A description of the organisational structure including the general company organisation and operations department organisation. The relationship between the operations department and the other departments of the company. In particular, the subordination and reporting lines of all divisions, departments etc., which pertain to the safety of flight operations, shall be shown.
- 2.2 Director of Operations-duties and responsibility;
- 2.3 Chief Pilot-duties and responsibility;
- 2.4 Director of Maintenance-duties and responsibility;
- 2.5 Quality Manager-duties and responsibility; and
- 2.6 Director of Safety-duties and responsibility.
- 2.7 Flying hours for management personnel
- 2.8 A description of the system for supervision of the operation by the AOC holder shall be listed. This description shall show how the safety of flight operations and the qualifications of personnel involved in all such operations are supervised and monitored. In particular, the procedures related to the following items shall be described:
 - (a) Competence of operations personnel; and
 - (b) Control, analysis and storage of records, flight documents, additional information, and safety related data.
- 2.9 A description of any system for promulgating information which may be of an operational nature but is supplementary to that in the operations manual. The applicability of this information and the responsibilities for its promulgation shall be included

- 2.10 A description of the main aspects of the flight safety programme including:
- (a) Programmes to achieve and maintain risk awareness by all persons involved in flight operations; and
 - (b) Evaluation of accidents and incidents and the promulgation of related information.
- 2.11 A description of the objectives, procedures and responsibilities necessary to exercise operational control with respect to flight safety.
- 2.12 A description of the quality system adopted.
- 2.13 Instructions outlining the responsibilities of operations personnel pertaining to the conduct of flight operations.
- 2.14 Rules limiting the flight time and flight duty periods and providing for adequate rest periods for flight crew members and cabin crew.
- 2.15 A list of the navigational equipment to be carried including any requirements relating to operations in RNP airspace.
- 2.16 Where relevant to the operations, the long-range navigation procedures, engine failure procedure for ETOPS and the nomination and utilization of diversion aerodromes.
- 2.17 The circumstances in which a radio listening watch is to be maintained.
- 2.18 The method for determining minimum flight altitudes.
- 2.19 The methods for determining aerodrome operating minima.
- 2.20 Safety precautions during refuelling with passengers on board.
- 2.21 Ground handling arrangements and procedures.
- 2.22 Procedures, as prescribed under the Civil Aviation (Air Navigation Services) Regulations for pilots-in-command observing an accident.
- 2.23 The flight crew for each type of operation including the designation of the succession of command.
- 2.24 Specific instructions for the computation of the quantities of fuel and oil to be carried, having regard to all circumstances of the operation including the possibility of loss of pressurization and the failure of one or more power-units while en route.
- 2.25 The conditions under which oxygen shall be used and the amount of oxygen.
- 2.26 Instructions for mass and balance control.
- 2.27 Instructions for the conduct and control of ground de-icing/anti-icing operations.
- 2.28 The specifications for the operational flight plan.
- 2.29 Standard operating procedures (SOP) for each phase of flight.
- 2.30 Instructions on the use of normal checklists and the timing of their use.
- 2.31 Departure contingency procedures.
- 2.32 Instructions on the maintenance of altitude awareness and the use of automated or flight crew altitude call-out.
- 2.33 Instructions on the use of autopilots and autothrottles in IMC.
- 2.34 Instructions on the clarification and acceptance of ATC clearances, particularly where terrain clearance is involved.
- 2.35 Departure and approach briefings.
- 2.36 Procedures for familiarization with areas, routes and aerodromes.
- 2.37 Stabilized approach procedure.
- 2.38 Limitation on high rates of descent near the surface.
- 2.39 Conditions required to commence or to continue an instrument approach.
- 2.40 Instructions for the conduct of precision and nonprecision instrument approach procedures.
- 2.41 Allocation of flight crew duties and procedures for the management of crew workload during night and IMC instrument approach and landing operations.
- 2.42 Instructions and training requirements for the avoidance of controlled flight into terrain and policy for the use of the ground proximity warning system (GPWS).
- 2.43 Policy, instructions, procedures and training requirements for the avoidance of collisions and the use of the airborne collision avoidance system (ACAS).
- 2.44 Information and instructions relating to the interception of civil aircraft including:
- a) procedures prescribed under the Civil Aviation (Rules of Air and Air Traffic Control) Regulation, for pilots-in command of intercepted aircraft; and

b) visual signals for use by intercepting and intercepted aircraft. For aeroplanes intended to be operated above 15 000 m (49 000 ft):

a) information which will enable the pilot to determine the best course of action to take in the event of exposure to solar cosmic radiation; and

b) procedures in the event that a decision to descend is taken, covering:

1) the necessity of giving the appropriate ATS unit prior warning of the situation and of obtaining a provisional descent clearance; and

2) the action to be taken in the event that communication with the ATS unit cannot be established or is interrupted.

2.46 Details of the accident prevention and flight safety programme provided in accordance with safety management systems, including a statement of safety policy and the responsibility of personnel.

2.47 Information and instructions on the carriage of dangerous goods, including action to be taken in the event of an emergency.

(B) AIRCRAFT OPERATING INFORMATION

1.0 CREW TO BE CARRIED

1.1 Composition of crew

1.2 Minimum flight crew

1.3 Minimum number of cabin crew

1.4 Carriage of navigator

1.5 Carriage of flight engineer

1.6 Crew licenses

1.7 For the flight crew, operation on more than one type rating or variant.

2.0 DUTIES OF FLIGHT CREW AND OTHER CREWMEMBER STAFF

2.1) Designation of pilot-in-command

2.2 Authority of pilot-in-command

2.3 Duties of crew members

2.4 Briefing of passengers

2.5 Necessity of pilots to remain at controls

2.6 Co-pilot handling of the aircraft

2.7 Refuelling duties/responsibilities

2.8 Loading by flight crew

3.0 DUTIES AND RESPONSIBILITIES OF FLIGHT OPERATIONS OFFICER AND OTHER PERSONNEL

3.1 The general principles of mass and centre of gravity including:

(a) The policy for using either standard and/or actual masses;

(b) The method for determining the applicable passenger, baggage and cargo mass;

(c) The applicable passenger and baggage masses for various types of operations and aircraft type;

(d) General instruction and information necessary for verification of the various types of mass and balance documentation in use;

(e) Last minute changes procedures; and

(g) Seating policy/procedures.

3.2 A description of the handling procedures to be used when allocating seats and embarking and disembarking passengers and when loading and unloading the aircraft. Further procedures, aimed at achieving safety whilst the aircraft is on the ramp, shall also be given. Handling procedures shall include:

(a) Sick passengers and persons with reduced mobility;

(b) Permissible size and weight of hand baggage;

(c) Loading and securing of items in the aircraft;

(d) Special loads and classification of load compartments (i.e., dangerous goods,

- live animals, etc.);
 - (e) Positioning of ground equipment;
 - (f) Operation of aircraft doors;
 - (g) Safety on the ramp, including fire prevention, blast and suction areas;
 - (h) Start-up, ramp departure and arrival procedures;
 - (i) Servicing of aircraft;
 - (j) Documents and forms;
 - (k) Multiple occupancy of aircraft seats.
- 3.3 Procedures to ensure that persons who appear to be intoxicated or who demonstrate by manner or physical indications that they are under the influence of alcohol or drugs, except medical patients under proper care, are refused embarkation.
- 3.4 A description of the de-icing and anti-icing policy and procedures for aircraft on the ground. These shall include descriptions of the types and effects of icing and other contaminants on aircraft while stationary, during ground movements and during take-off. In addition, a description of the fluid types used shall be given including:
- (a) Proprietary or commercial names;
 - (b) Characteristics;
 - (c) Effects on aircraft performance;
 - (d) Precautions during usage.
- 3.5 Specifications for the operational flight plan
- 4.0 COCKPIT MANAGEMENT**
- 4.1 Pre-flight action by pilot-in-command
- 4.2 Departure and approach briefing
- 4.3 Instructions on the clarification and acceptance of ATC clearances, particularly where terrain clearance is involved
- 4.4 Procedures covering:
- (a) Cabin preparation for flight, inflight requirements and preparation for landing including procedures for securing cabin and galleys.
 - (b) Procedures to ensure that passengers are seated where, in the event that an emergency evacuation is required, they may best assist and not hinder evacuation from the aircraft;
 - (c) Procedures to be followed during passenger embarkation and disembarkation; and
 - (d) Procedures for fuelling with passengers on board, embarking, or disembarking.
 - (e) Smoking on board.
 - (f) Use of portable electronic equipment and cellular telephones
- 4.5 The contents, means and timing of passenger briefing.
- 4.6 Succession to command.
- 4.7 Normal duties.
- 4.8 Flight crew – division of duties and procedures during night and IMC instrument approaches and landing operations.
- 4.9 Flight crew – procedures to be followed in event of incapacitation. Examples of the types of incapacitation and the means for recognising them shall be included.
- 4.10 Flight crew – acknowledgement of calls during take-off and landing;
- 4.11 Flight crew – querying of deviations from flight plan;
- 4.12 Flight crew – consumption of alcohol, narcotics and drugs;
- 4.13 Flight crew – wearing of harness for take-off and landing;
- 4.14 Flight crew – simulation of emergencies not permitted when carrying passengers;
- 4.15 Crew members – physiological factors;
- 4.16 Operation of radio in aircraft;
- 4.17 Radio checking procedure;
- 4.18 Altimeter checking procedure;
- 4.19 Operation of flight data recorder.
- 4.20 Procedures for the use of cosmic or solar radiation detection equipment and for

recording its readings including actions to be taken in the event that limit values specified in the operations manual are exceeded. In addition, the procedures, including ATC procedures, to be followed in the event that a decision to descend or re-route is taken.

4.21 All Weather Operations

4.22 Use of the Minimum Equipment List and Configuration Deviation List

4.23 Procedures and limitations for:

- (a) Training flights;
- (b) Test flights;
- (c) Delivery flights,
- (d) Ferry flights;
- (e) Demonstration flights; and
- (f) Positioning flights, including the kind of persons who may be carried on such

flights.

4.24 Rules of the air including the ground/air visual codes for use by survivors, description and use of signal aids;

4.25 Emergency evacuation procedures;

4.26 Procedures in event of pressurization failure.

4.27 Procedure for use of ground-air visual signal code by survivors

5.0 FLIGHT TIME LIMITATIONS

5.1 Definitions of:

- (a) Flight time;
- (b) Duty period;
- (c) Flying duty period;
- (d) Split duty;
- (e) Positioning;
- (f) Standby duty;
- (g) Rest period;
- (h) Time-off;
- (i) Day;
- (j) Local daylight;
- (k) Local time;

5.2 Requirement of scheme to regulate flight times;

5.3 Maximum duty period – two pilot crew- aeroplane;

5.4 Maximum duty period – single pilot crew- aeroplane;

5.5 Maximum duty period – two pilot crew- helicopter;

5.6 Maximum duty period – single pilot crew- helicopter;

5.7 Particular cases:

- (a) Extension of duty period by in-flight relief;
- (b) Split duty;
- (c) Positioning (dead-heading);
- (d) Standby duty;
- (e) Travelling time;
- (f) Pilot-in-command's discretion to extend flying duty period.

5.8 Minimum rest periods;

5.9 Pilot-in-command's discretion to reduce rest period;

5.10 Cumulative duty and flying hours;

- (a) Maximum weekly duty hours;
- (b) Maximum monthly duty hours;
- (c) Maximum monthly flying hours;
- (d) Maximum monthly annual flying hours.

5.11 Duty cycles and time-off duty:

- (a) Normal duty cycles;
- (b) Short breaks away from base;

- (c) Time off at base.
- 5.12 Records to be maintained for each crewmember.
- 5.13 Scheme for regulation of flight times for cabin crew.
- 5.14 Responsibilities of all crewmembers.
- 6.0 **ADMINISTRATION**
- 6.1 General requirements for AOC;
- 6.2 Application for AOC;
- 6.3 Requirement for air transport licence;
- 6.4 Form of certificate;
- 6.5 Renewal of certificate;
- 6.6 Variation of certificate;
- 6.7 Revocation of certificate;
- 6.8 Exits and break-in markings;
- 6.9 Drunkenness in aircraft;
- 6.10 Smoking in aircraft;
- 6.11 Imperilling safety of aircraft;
- 6.12 Stowaways;
- 6.13 Carriage of livestock;
- 6.14 Carriage of dangerous goods;
- 6.15 Carriage of weapons of war;
- 6.16 Carriage of unauthorized persons;
- 6.17 A description of security policies and procedures for handling and reporting crime on board such as unlawful interference, sabotage, bomb threats, and hijacking.
- 6.18 Security instructions and guidance of a non-confidential nature which shall include the authority and responsibilities of operations personnel.
- 6.19 A description of preventative security measures and training. (Note: Parts of the security instructions and guidance may be kept confidential.)
- 6.20 Vehicle ferry operations;
- 6.21 Provision of navigation flight plan forms;
- 6.22 Provision of pilot-in-command's brief;
- 6.23 Provision of operations library;
- 6.24 Filing airmiss reports;
- 6.25 Procedures for the handling, notifying and reporting of accidents and occurrences. This section shall include:
 - (a) Definitions of accidents and occurrences and the relevant responsibilities of all persons involved;
 - (b) The descriptions of which company departments, Authorities or other institutions have to be notified by which means and in which sequence in case of an accident;
 - (c) Special notification requirements in the event of an accident or occurrence when dangerous goods are being carried;
 - (d) A description of the requirements to report specific occurrences and accidents;
 - (e) The forms used for reporting and the procedure for submitting them to the Authority shall also be included; and
 - (f) If the AOC holder develops additional safety related reporting procedures for its own internal use, a description of the applicability and related forms to be used.
- 6.26 Allowable deficiencies;
- 6.27 Use of flight plans;
- 6.28 Use of technical log;
- 6.29 Method of deferring defects approved by the Authority;
- 6.30 Carriage of Authority Inspectors.
- 7.0 **STANDARD AND EMERGENCY CHECKLISTS**
- 7.1 Drills and checks to be listed in full in the operative manual;
- 7.2 Checks required prior to take-off;

- 7.3 Checks required prior to landing;
- 7.4 Checking/setting V_{ref} ;
- 7.5 Check of safety altitude before descent;
- 7.6 Emergency drill—items to be covered;
- 7.7 Checklists for two pilot crews;
- 7.8 Checklist for flight engineers;
- 7.9 Checklist for single pilot crews;
- 7.10 Instruction that checklist must be used;
- 7.11 Requirement for cabin crew to be issued with individual copies of emergency evacuation duties.
- 7.12 Instructions on the use of autopilot and auto throttle in IMC

8.0 FUEL FLIGHT PLANNING AND RECORDS

- 8.1 Flight planning formula;
- 8.2 Island reserve;
- 8.3 Rules for replanning in flight;
- 8.4 Effect on fuel consumption of use of ancillary equipment;
- 8.5 Effect on fuel consumption of engine or system failures;
- 8.6 Fuel consumption records in flight (every hour);
- 8.7 Records of uplift and fuel states;
- 8.8 Retention of fuel records:
 - (a) Technical logs; and
 - (b) In-flight records.
- 8.9 Retention of fuel records and navigation logs;
- 8.10 Refuelling with passengers on board – special instructions;
- 8.11 Fumes in aircraft;
- 8.12 Jettisoning fuel – special precaution

(C) AREAS, ROUTES AND AERODROMES

1.0 ROUTE OPERATING INFORMATION

- 1.1 Company policy on:
 - (a) Flights on and off airways;
 - (b) Nomination of alternate aerodromes (heliports);
 - (c) Operation of VFR flights; and
 - (d) Cancellation of IFR flight plans.
- 1.2 Details of AOC area of operations;
- 1.3 Details of navigation area restrictions;
- 1.4 Procedure or visual signals on intercept
- 1.5 Details of radio area restrictions;
- 1.6 Definition of public transport;
- 1.7 Flight plan/navigation forms – items to be provided for:
 - (a) to be retained for six months; and
 - (b) Exceptions to the above requirement.
- 1.8 Use of prepared navigational flight plans;
- 1.9 Where relevant Long range and ETOPS procedures
- 1.10 Navigation log forms for use by navigators;
- 1.11 Radio equipment required to be carried;
- 1.12 Operation of radio in aircraft;
- 1.13 Procedure for pilot-in-command observing an accident
- 1.14 Radio failure procedures;
- 1.15 Minimum safe altitudes and methods of determining the MSA;
- 1.16 Procedures for operating above 15000 m (49000ft);
- 1.17 Terrain clearance following loss of engine(s);
- 1.18 Minimum aerodrome facilities for approach and landing

- 1.19 Methods for determining aerodrome operating minima;
 - 1.20 Documents to be carried on commercial air transport aircraft;
 - 1.21 Details of aircraft library and navigation bag;
 - 1.22 Flying staff instructions or notices:
 - (a) Operational;
 - (b) Technical;
 - (c) Administration; and
 - (d) Time limit after issue.
 - 1.23 Requirement to carry life rafts;
 - 1.24 Provision and use of oxygen;
 - 1.25 Briefing of passengers in use of oxygen;
 - 1.26 Noise abatement procedures;
 - 1.27 Allowable deficiencies—guidance to pilots-in-command.
 - 1.28 Procedures for operating in, and/or avoiding, and reporting potentially hazardous atmospheric conditions including:
 - (a) Thunderstorms;
 - (b) Icing conditions;
 - (c) Turbulence,
 - (d) Windshear;
 - (e) Jet stream;
 - (f) Volcanic ash clouds;
 - (g) Heavy precipitation;
 - (h) Sand storms;
 - (i) Mountain waves; and
 - (j) Significant temperature inversions.
 - 1.29 Procedure for familiarization with areas, routes and aerodromes
 - 1.30 The following operating restrictions:
 - (a) Cold weather operations
 - (b) Take-off and landing in turbulence
 - (c) Low-level wind shear operations
 - (d) Cross-wind operations (including tail wind components)
 - (e) High temperature operations
 - (f) High altitude operations.
- 2.0 AERODROME OPERATING MINIMA**
- 2.1 Operating minima to be included for every airfield used regularly in respect of take-off, landing and visual manoeuvring;
 - 2.2 Runways NOT to be used to be clearly indicated;
 - 2.3 Conditions for commencing a flight and departure contingency procedures;
 - 2.4 Conditions for commencing or continuing an approach;
 - 2.5 Stabilized approach procedures and limitations on high rates of descend near the surface
 - 2.6 Definitions of:
 - (a) Decision height;
 - (b) Approach to landing;
 - (c) Circling approach procedures; and
 - (d) RVR, etc.
 - (e) Stabilized approach
 - 2.7 Minima for pilots-in-command with limited experience on type;
 - 2.8 Take-off and landing when an RVR is reported;
 - 2.9 Take-off and landing when RVR is reported from more than one position on the runway;
 - 2.10 Instructions concerning landing in shallow fog;
 - 2.11 Alternate for each intended destination to be specified;
 - 2.12 General guidance concerning selection of alternate aerodrome;
 - 2.13 Guidance concerning selection of 'return' alternate;
 - 2.14 Instructions concerning the use of return alternate—weather below landing minima;

- 2.15 Minima for aerodromes without approach aids;
 - 2.16 Special minima for non-public transport flights;
 - 2.17 Special rules for aircraft with performance category C, D or E;
 - 2.18 Calculation of in-flight visibility for manoeuvring;
 - 2.19 Relationship between RVR and DH;
 - 2.20 Conversion of reported MET visibility to RVR; and
 - 2.21 Explanatory material on the decoding of MET forecasts and MET reports relevant to the area of operations, including the interpretation of conditional expressions.
- 3.0 PERFORMANCE DATA**
- 3.1 Simplified Regulated Take Off Mass (RTOM) or landing mass data;
 - 3.2 Calculation of V_{NO} , V_{NE} , etc.;
 - 3.3 Calculation of V_1 , V_2 and V_{ref} ;
 - 3.4 En-route performance, limitations;
 - 3.5 Flights over water;
 - 3.6 Effect on performance of take-off procedures at particular aerodromes
 - 3.7 Effect of noise abatement requirements;
 - 3.8 Abnormal pressurization affecting performance;
 - 3.9 Definitions of:
 - (a) Landing distance;
 - (b) Take-off distance; and
 - (c) Emergency distance, etc.
 - 3.10 Factors arising from runway surface conditions;
 - (a) Water;
 - (b) Snow and slush;
 - (c) Ice; and
 - (d) Grass.
 - 3.11 Minimum strip width after snow clearance;
 - 3.12 Cross-wind limitations;
 - 3.13 Maximum wind velocity – light aircraft;
 - 3.14 Airworthiness or flight manual approval for above;
 - 3.15 Flight manual performance figures;
 - 3.16 Compliance with any special handling instructions NOT specified in Certificate of Airworthiness or Flight Manual;
 - 3.17 Ferry flights with one engine inoperative;
 - 3.18 Handling techniques – one engine inoperative;
 - 3.19 Weather and route limitations; and
 - 3.20 Fuel consumption.
- 4.0 TECHNICAL INFORMATION**
- 4.1 Airframe leading particulars;
 - 4.2 Simplified description of systems;
 - 4.3 System pressures;
 - 4.4 Fuel system;
 - 4.5 Flying controls, etc.;
 - 4.6 Airframe limitations:
 - (a) V_{NO} ;
 - (b) V_{NE} ; and
 - (c) $V_{MO/MMO}$, etc.;
 - 4.7 Engine – basic details;
 - 4.8 Engine limitations;
 - 4.9 Engine handling procedures;
 - 4.10 Approved types of:
 - (a) Fuel;
 - (b) Oil;

- (c) Coolant;
- (d) Hydraulic fluid;
- (e) Water/methanol;
- (f) Anti-icing fluid, etc.;
- 4.11 Replenishment of all systems;
- 4.12 Refuelling or de-fuelling;
- 4.13 Operating instructions – all systems;
- 4.14 Electrical;
- 4.15 Hydraulic;
- 4.16 Brakes;
- 4.17 Anti-icing;
- 4.18 Oxygen, etc.;
- 4.19 Radio equipment – general description;
- 4.20 Radio equipment – operating instructions;
- 4.21 Operating instructions for:
 - (a) Auto-pilot;
 - (b) Flight director system;
 - (c) Flight recorder; and
 - (d) Special navigation equipment, etc.
- 4.22 Pre-flight inspections by crew;
- 4.23 Abnormal drills;
 - (a) Inverter failure;
 - (b) Flight systems failures, etc.;
- 4.24 Aircraft handling techniques:
 - (a) following loss of engine;
 - (b) in turbulence; and
 - (c) on slippery surfaces, etc.;
- 4.25 Safety precautions (no smoking);
- 4.26 Operation with defective fuel tank;
- 4.27 Method of use of oxygen.

(D) TRAINING

1.0 Training Syllabi And Checking Programmes

1.1 General Requirements.

Training syllabi and checking programmes for all operations personnel assigned to operational duties in connection with the preparation and/or conduct of a flight shall be developed to meet the respective requirements of the Authority. An AOC holder may not use, nor may any person serve in a required crewmember capacity or operational capacity unless that person meets the training and currency requirements established by the Authority for that respective position.

1.2 Flight Crew.

The training syllabi and checking programmes for flight crew members shall include:

- (a) A written training programme acceptable to the Authority that provides for initial, transition, difference, and recurrent training, as appropriate, for cockpit crewmembers for each type of aircraft flown by that crewmember. This written training programme shall include both normal and emergency procedures training applicable for each type of aircraft flown by the crewmember.
- (b) Adequate ground and flight training facilities and properly qualified instructors required to meet training objectives and needs.
- (c) A current list of approved training materials, equipment, training devices, simulators, and other required training items needed to meet the training

- needs for each type and variation of aircraft flown by the AOC holder.
- (d) Adequate numbers of ground, flight, and check pilots to ensure adequate training and flight testing of flight crew members.
 - (e) A record system acceptable to the Authority to show compliance with appropriate training and currency requirements.

1.3 Cabin Crew.

The training syllabi and checking programmes for cabin crew members shall include:

- (a) Basic initial ground training covering duties and responsibilities.
- (b) Appropriate Authority rules and regulations.
- (c) Appropriate portions of the AOC holder's operating manual.
- (d) Appropriate emergency training as required by the Authority and the AOC holder's operating manual.
- (e) Appropriate flight training.
- (f) Appropriate recurrent, upgrade, or difference training, as required, to maintain currency in both type and any variance the crew member may be required to work in.
- (g) Maintain a training record system acceptable to the Authority to show compliance with all required training.

1.4 All Aircraft Crew.

A written training programme shall be developed for all aircraft crew members in the emergency procedures appropriate to each make and model of aircraft flown in by the crew member. Areas shall include:

- (a) Instruction in emergency procedures, assignments, and crew co-ordination.
- (b) Individual instruction in the use of onboard emergency equipment such as fire extinguishers, emergency breathing equipment, first aid equipment and its proper use, emergency exits and evacuation slides, and the aircraft's oxygen system including the use of portable emergency oxygen bottles. Cockpit crewmembers shall also practice using their emergency equipment designed to protect them in case of a cockpit fire or smoke.
- (c) Training shall also include instruction in potential emergencies such as rapid decompression, ditching, fire fighting, aircraft evacuation, medical emergencies, hijacking, and disruptive passengers.
- (d) Scheduled recurrent training to meet Authority requirements.

1.5 All Operations Personnel.

The training syllabi and checking programmes for all operations personnel shall include:

- (a) Training in the safe transportation and recognition of all dangerous goods permitted by the Authority to be shipped by air. Training shall include the proper packaging, marking, labelling, and documentation of dangerous articles and magnetised materials.
- (b) All appropriate security training required by the Authority.
- (c) A method of providing any required notification of an accident or incident involving dangerous good.

1.6 Operations Personnel Other Than Aircraft Crew.

Operations personnel other than aircraft crew (e.g., flight operations officer, handling personnel etc.), a written training programme shall be developed that pertains to their respective duties. The training programme shall provide for initial, recurrent, and any required upgrade training.

2.0 Procedures for Training and Checking

2.1 Proficiency Checking Procedure

Procedures to be applied in the event that personnel do not achieve or maintain the required standards.

2.2 Procedures Involving the Simulation of Abnormal or Emergency Situations.

Procedures to ensure that abnormal or emergency situations requiring the application of part or all of abnormal or emergency procedures, and simulation of IMC by artificial means, are not simulated during commercial air transportation flights.

3.0 Document Retention

3.1 Documentation To Be Stored And Storage Periods

An AOC holder shall retain all documentation required by appropriate Authority or the Authority of a foreign country in which the AOC holder is operating for the time specified by the respective Authority or for the time period needed to show compliance with appropriate regulations or this operations manual, whichever is longer.

FOURTH SCHEDULE

REGULATION 32(3)

AIRCRAFT OPERATING MANUAL

1.0 General Information and Units of Measurement

- 1.1 General Information (e.g. aircraft dimensions), including a description of the units of measurement used for the operation of the aircraft type concerned and conversion tables.

2.0 Limitations

2.1 Certification and Operational Limitations

A description of the certified limitations and the applicable operational limitations including:

- (a) Certification status;
- (b) An approved-passenger seating configuration for each aircraft type including a pictorial presentation;
- (c) Types of operation that are approved (e.g. IFR/VFR, CAT II/III, flights in known icing conditions etc.);
- (d) Crew composition;
- (e) Operating within mass and centre of gravity limitations;
- (f) Speed limitations;
- (g) Flight envelopes;
- (h) Wind limits including operations on contaminated runways;
- (i) Performance limitations for applicable configurations;
- (j) Runway slope;
- (k) Limitations on wet or contaminated runways;
- (l) Airframe contamination; and
- (m) Post landing

3.0 Operating Procedures

3.1 Normal Procedures

The normal procedures and duties assigned to the crew, the appropriate checklists, the system for use of the checklists and a statement covering the necessary co-ordination procedures between flight and cabin crew. The following normal procedures and duties shall be included:

- (a) Pre-flight;
- (b) Pre-departure and loading;
- (c) Altimeter setting and checking;
- (d) Taxi, Take-Off and Climb;
- (e) Noise abatement;
- (f) Cruise and descent;
- (g) Approach, landing preparation and briefing;
- (h) VFR approach;
- (i) Instrument approach;

- (j) Visual approach and circling;
- (k) Missed approach;
- (l) Normal landing;
- (m) Post landing; and
- (n) Operation on wet and contaminated runways.

3.2 Specific Cockpit Procedures

- (a) Determining airworthiness of aircraft;
- (b) Obtaining flight release;
- (c) Initial cockpit preparation;
- (d) Standard operating procedures;
- (e) Cockpit discipline;
- (f) Standard call-outs;
- (d) Communications;
- (e) Flight safety;
- (f) Push-back and towing procedures;
- (g) Taxi guidelines and ramp signals;
- (h) Take-off and climb out procedures;
- (i) Choice of runway;
- (j) Take-off in limited visibility;
- (k) Take-off in adverse weather;
- (l) Use and limitations of weather radar;
- (m) Use of landing lights;
- (n) Monitoring of flight instruments;
- (o) Power settings for take-off;
- (p) Malfunctions during take-off;
- (q) Rejected take-off decision;
- (r) Climb, best angle, best rate;
- (s) Sterile cockpit procedures;
- (t) En route and holding procedures;
- (u) Cruise control;
- (v) Navigation log book;
- (w) Descent, approach and landing procedures;
- (x) Standard call-outs;
- (y) Reporting maintenance problems;
- (z) How to obtain maintenance and service en route.

3.3 Abnormal and Emergency Procedures

The manual shall contain a listing of abnormal and emergency procedures assigned to crew members with appropriate check-lists that include a system for use of the check-lists and a statement covering the necessary co-ordination procedures between flight and cabin crew. The following abnormal and emergency procedures and duties shall be included:

- (a) Crew incapacitation;
- (b) Fire and smoke drills;
- (c) Unpressurised and partially pressurised flight;
- (d) Exceeding structural limits such as overweight landing;
- (e) Exceeding cosmic radiation limits;
- (f) Lightning strikes
- (g) Distress communications and alerting ATC to emergencies;
- (h) Engine failure;
- (i) System failures;
- (j) Guidance for diversion in case of serious technical failure;
- (k) Ground proximity warning;
- (l) TCAS warning;
- (m) Windshear; and

- (n) Emergency landing/ditching;
- (o) Aircraft evacuation;
- (p) Fuel Jettisoning and Overweight Landing:
 - General considerations and policy
 - Fuel jettisoning procedures and precautions
- (q) Emergency Procedures:
 - Emergency decent;
 - Low fuel;
 - Dangerous goods incident or accident.
- (r) Interception procedures;
- (s) Emergency signal for cabin attendants;
- (t) Communication Procedures;
- (u) Radio listening watch.

4.0 Performance Data

4.1 Performance data shall be provided in a form in which it can be used without difficulty.

4.2 Performance material which provides the necessary data to allow the flight crew to comply with the approved aircraft flight manual performance requirements shall be included to allow the determination of-

- (a) Take-off climb limits - Mass, Altitude, Temperature;
- (b) Take-off field length (dry, wet, contaminated);
- (c) Net flight path data for obstacle clearance calculation or, where applicable, take-off flight path;
- (d) The gradient losses for banked climb outs;
- (e) En route climb limits;
- (f) Approach climb limits;
- (g) Landing climb limits;
- (h) Landing field length (dry, wet, contaminated) including the effects of an inflight failure of a system or device, if it affects the landing distance;
- (i) Brake energy limits; and
- (j) Speeds applicable for the various flight stages (also considering wet or contaminated runways).

4.3 Supplementary Performance Data

Supplementary data covering flights in icing conditions. Any certified performance related to an allowable configuration, or configuration deviation, such as anti-skid inoperative, shall be included.

4.4 Other Acceptable Performance Data

If performance data, as required for the appropriate performance class, is not available in the approved AFM, then other data acceptable to the Authority shall be included. Alternatively, the operations manual may contain cross-reference to the approved data contained in the AFM where such data is not likely to be used often or in an emergency.

4.5 Additional Performance Data.

Additional performance data where applicable including-

- (a) All engine climb gradients;
- (b) Drift-down data;
- (c) Effect of de-icing/anti-icing fluids;
- (d) Flight with landing gear down;
- (e) For aircraft with three or more engines, one engine inoperative ferry flights; and
- (f) Flights conducted under the provisions of a configuration deviation list (CDL).

5.0 Flight Planning

5.1 Flight Planning Data

Data and instructions necessary for pre-flight and inflight planning including factors such as speed schedules and power settings. Where applicable, procedures for engine(s) out operations, ETOPS and flights to isolated airports shall be included.

5.2 Fuel Calculations

The method for calculating fuel needed for the various stages of flight.

6.0 Mass And Balance.

6.1 Calculating Mass and Balance

Instructions and data for the calculation of mass and balance including:

- (a) Calculation system (e.g. Index system);
- (b) Information and instructions for completion of mass and balance documentation, including manual and computer generated types;
- (c) Limiting mass and centre of gravity of the various versions;
- (d) Dry operating mass and corresponding centre of gravity or index.

7.0 Loading.

7.1 Loading Procedures

Procedures and provisions for loading and securing the load in the aircraft.

7.2 Loading Dangerous Goods

The operations manual shall contain a method to notify the PIC when dangerous goods are loaded in the aircraft.

8.0 Survival And Emergency Equipment Including Oxygen

8.1 List of Survival Equipment to be Carried

A list of the survival equipment to be carried for the routes to be flown and the procedures for checking the serviceability of this equipment prior to take-off. Instructions regarding the location, accessibility and use of survival and emergency equipment and its associated check list(s) shall also be included.

8.2 Oxygen Usage

The procedure for determining the amount of oxygen required and the quantity that is available. The flight profile, number of occupants and possible cabin decompression shall be considered. The information provided shall be in a form in which it can be used without difficulty.

8.3 Emergency Equipment Usage

A description of the proper use of the following emergency equipment:

- (a) Life jackets
- (b) Life rafts
- (c) Medical kits/first aid kits
- (d) Survival kits
- (e) Emergency locator transmitter (ELT)
- (f) Visual signalling devices
- (g) Evacuation slides
- (h) Emergency lighting

9.0 Emergency Evacuation Procedures

9.1 Instructions for Emergency Evacuation

Instructions for preparation for emergency evacuation including, crew co-ordination and emergency

station assignment.

9.2 Emergency Evacuation Procedures

A description of the duties of all members of the crew for the rapid evacuation of an aircraft and the handling of the passengers in the event of a forced landing, ditching or other emergency.

10.0 Aircraft Systems.

10.1 Aircraft Systems

A description of the aircraft systems, related controls and indications and operating instructions.

11.0 Route and Airport Instructions and Information (optional for this manual)

11.1 Instructions and Information

Instructions and information relating to communications, navigation and airports including minimum flight levels and altitudes for each route to be flown and operating minima for each airport planned to be used, including:

- (a) Minimum flight level/altitude;
- (b) Operating minima for departure, destination and alternate airports;
- (c) Communication facilities and navigation aids;
- (d) Runway data and airport facilities;
- (e) Approach, missed approach and departure procedures including noise abatement procedures;
- (f) Communications-failure procedures;
- (g) Search and rescue facilities in the area over which the aircraft is to be flown;
- (h) A description of the aeronautical charts that shall be carried on board in relation to the type of flight and the route to be flown, including the method to check their validity;
- (i) Availability of aeronautical information and MET services;
- (j) En route COM/NAV procedures, including holding;
- (k) Airport categorisation for flight crew competence qualification.

FIFTH SCHEDULE

REGULATION 43(3)

CABIN CREWMEMBER MANUAL

1.0 General

- 1.1 Manual record of revision sheet and effective list of pages
- 1.2 How to use the manual
- 1.3 Where to obtain revisions
- 1.4 How to revise the manual
- 1.5 Cabin crewmembers' responsibilities regarding the manual

2.0 Organization

- 2.1 Duties and responsibilities of each airline employee
- 2.2 Focal points for all company procedural and training manuals

3.0 Government Regulations and Requirements and Related Company Policies

- 3.1 Routine/normal operating procedures

4.0 Passenger Handling

- 4.1 Handicapped and disabled passengers
- 4.2 Interference
- 4.3 Current security procedures
- 4.4 Carriage of assist animals versus carriage of pets (company policy)

5.0 General Emergency Procedures

- 5.1 Decompression
- 5.2 Procedures for planned and unplanned evacuation on land and in water
 - (a) Cabin preparation
 - (b) Securing of cabin and galley
 - (c) Review of passenger safety procedures and survival equipment
 - (d) Brace positions
 - (e) Able-bodied passenger briefing and procedures
- 5.3 Brace Positions for Passengers and Crew
 - (a) Forward and aft seats
 - (b) High and low density seating

5.4 Abnormal Procedures

- (a) Engine torching
- (b) Passenger initiation of evacuation
- (c) Passenger reporting of unsafe conditions of aircraft or other passengers

5.5 Turbulence

6.0 First Aid

- 6.1 Illness and Injuries
- 6.2 Symptoms

- 6.3 Immediate Treatment
- 6.4 Universal Precautions
- 6.5 Bloodborne Pathogens
- 6.6 Use of Medical Equipment and First Aid Equipment

7.0 Aircraft Specific Sections

(This should include one section for each type of aircraft to include differences within the same type of aircraft).

7.1 Description of Particular Aircraft from Nose to Tail

- (a) Description
- (b) Operation
- (c) Pre-flight of all equipment, including passenger convenience item through emergency equipment, stowage areas and placarding.

7.2 Reporting Procedures of Inoperative Equipment and Emergencies Procedures Specific to Each Aircraft Type

8.0 International Rules/Regulations/Paperwork

SIXTH SCHEDULE

REGULATION 54(2)

FLIGHT SAFETY DOCUMENTS SYSTEM

1. INTRODUCTION

- 1.1 The guidelines in this Schedule address the major aspects of an operator's flight safety documents system development process, with the aim of ensuring compliance with these Regulations.
- 1.2 The guidelines are based not only upon scientific research, but also upon current best industry practices, with an emphasis on a high degree of operational relevance.

2. Organization

2.1 A flight safety documents system shall be organized according to criteria, which ensure easy access to information, required for flight and ground operations contained in the various operational documents comprising the system and which facilitate management of the distribution and revision of operational documents.

2.2 Information contained in a flight safety documents system shall be grouped according to the importance and use of the information, as follows:

- a) time critical information, e.g., information that can jeopardize the safety of the operation if not immediately available;
- b) time sensitive information, e.g., information that can affect the level of safety or delay the operation if not available in a short time period;
- c) frequently used information;
- d) reference information, e.g., information that is required for the operation but does not fall under b) or c) above; and
- e) information that can be grouped based on the phase of operation in which it is used.

2.3 Time critical information shall be placed early and prominently in the flight safety documents system.

2.4 Time critical information, time sensitive information, and frequently used information shall be placed in cards and quick-reference guides.

3. Validation

A flight safety documents system shall be validated before deployment, under realistic conditions. Validation shall involve the critical aspects of the information use, in order to verify its effectiveness. Interactions among all groups that can occur during operations shall also be included in the validation process.

4. Design

4.1 A flight safety documents system shall maintain consistency in terminology and in the use of standard terms for common items and actions.

4.2 Operational documents shall include a glossary of terms, acronyms and their standard definition, updated on a regular basis to ensure access to the most recent terminology. All significant terms, acronyms and abbreviations included in the flight documents system shall be defined.

4.3 A flight safety documents system shall ensure standardization across document types, including writing style, terminology, use of graphics and symbols, and formatting across documents. This includes a consistent location of specific types of information, consistent use of units of measurement and consistent use of codes.

4.4 A flight safety documents system shall include a master index to locate, in a timely manner, information included in more than one operational document.

Note.— The master index must be placed in the front of each document and consist of no more than three levels of indexing. Pages containing abnormal and emergency information must be tabbed for direct access.

4.5 A flight safety documents system shall comply with the requirements of the operator's quality system, if applicable.

5. Deployment

Operators shall monitor deployment of the flight safety documents system, to ensure appropriate and realistic use of the documents, based on the characteristics of the operational environment and in a way which is both operationally relevant and beneficial to operational personnel. This monitoring shall include a formal feedback system for obtaining input from operational personnel.

6. Amendment

6.1 Operators shall develop an information gathering, review, distribution and revision control system to process information and data obtained from all sources relevant to the type of operation conducted, including, but not limited to, the State of the Operator, State of design, State of Registry, manufacturers and equipment vendors.

Note.— Manufacturers provide information for the operation of specific aircraft that emphasizes the aircraft systems and procedures under conditions that may not fully match the requirements of operators. Operators shall ensure that such information meets their specific needs and those of the local authority.

6.2 Operators shall develop an information gathering, review and distribution system to process information resulting from changes that originate within the operator, including:

a) changes resulting from the installation of new equipment;

- b) changes in response to operating experience;
- c) changes in an operator's policies and procedures;
- d) changes in an operator certificate; and
- e) changes for purposes of maintaining cross fleet standardization.

Note.— Operators shall ensure that crew coordination philosophy, policies and procedures are specific to their operation.

6.3 A flight safety documents system shall be reviewed:

- a) on a regular basis (at least once a year);
- b) after major events (mergers, acquisitions, rapid growth, downsizing, etc.);
- c) after technology changes (introduction of new equipment); and
- d) after changes in safety regulations.

6.4 Operators shall develop methods of communicating new information. The specific methods shall be responsive to the degree of communication urgency.

Note.— As frequent changes diminish the importance of new or modified procedures, it is desirable to minimize changes to the flight safety documents system.

6.5 New information shall be reviewed and validated considering its effects on the entire flight safety documents system.

6.6 The method of communicating new information shall be complemented by a tracking system to ensure currency by operational personnel. The tracking system shall include a procedure to verify that operational personnel have the most recent updates.

SEVENTH SCHEDULE

REGULATION 58 (3)

MAINTENANCE CONTROL MANUAL

1. Each AOC applicant and AOC holder shall submit and maintain a maintenance control manual containing at least the information set forth below.
2. The manual may be put together in any subject order and subjects combined so long as all applicable subjects are covered.

1.0 Administration and Control of the Maintenance Control Manual

1.1 Introduction

- (a) A statement that the manual complies with all applicable Authority regulations and requirements and with the terms and conditions of the applicable Air Operator Certificate;
- (b) A statement that the manual contains maintenance and operational instructions that are to be complied with by the relevant personnel in the performance of their duties;
- (c) A list and brief description of the various Maintenance Control Manual parts, their contents, applicability and use; and
- (d) Explanations and definitions of terms and words used in the manual.

1.2 System of Amendment and Revision

- (a) A Maintenance Control Manual shall describe who is responsible for the issuance and insertion of amendments and revisions;
- (b) A record of amendments and revisions with insertion dates and effective dates is required;
- (c) A statement that hand-written amendments and revisions are not permitted except in situations requiring immediate amendment or revision in the interest of safety;
- (d) A description of the system for the annotation of pages and their effective dates;
- (e) A list of effective pages and their effective dates;
- (f) Annotation of changes (on text pages and as practicable, on charts and diagrams);
- (g) A system for recording temporary revisions;
- (h) A description of the distribution system for the manuals, amendments and revisions; and
- (i) A statement of who is responsible for notifying the Authority of proposed changes and working with the Authority on changes requiring Authority approval.

2.0 General Organisation

2.1 Corporate commitment by the AOC

2.2 General information:

- a) Brief description of organization;
- b) Relationship with other organizations;
- c) Fleet composition - Type of operation; and
- d) Line station locations.

2.3 Maintenance management personnel:

- a) Accountable Manager;
- b) Nominated Post holder;
- c) Maintenance co-ordination;

- d) Duties and responsibilities;
 - e) Organization chart(s); and
 - f) Manpower resources and training policy.
- 2.4 Notification procedure to the Authority regarding changes to the main locations, personnel, activities, or approval.

3.0 Maintenance Procedures

- 3.1 Aircraft logbook utilization and MEL application;
- 3.2 Aircraft maintenance programme - development and amendment;
- 3.3 Time and maintenance records, responsibilities, retention;
- 3.4 Accomplishment and control of mandatory continued airworthiness information (Airworthiness Directives);
- 3.5 Analysis of the effectiveness of the maintenance programme;
- 3.6 Non-mandatory modification embodiment policy;
- 3.7 Major modification standards;
- 3.8 Defect reports;
 - a) Analysis;
 - b) Liaison with manufacturers and Regulatory Authorities; and
 - c) Deferred defect policy;
- 3.9 Engineering activity;
- 3.10 Reliability programmes;
 - a) Airframe;
 - b) Propulsion; and
 - c) Components;
- 3.11 Pre-flight inspection;
 - a) Preparation of aircraft for flight;
 - b) Sub-contracted Ground Handling functions;
 - c) Security of Cargo and Baggage loading;
 - d) Control of refuelling, Quantity/Quality; and
 - e) Control of snow, ice, dust and sand contamination to an approved aviation standard.
- 3.12 Aircraft weighing.
- 3.13 Flight test procedures.
- 3.14 Sample of documents, tags and forms used.
- 3.15 Appropriate portions of the AOC holder's operations manual.

- a) a description of the procedures required by regulation 20 including, when applicable:
 - i) a description of the administrative arrangements between the operator and the approved maintenance organization;
 - ii) a description of the maintenance procedures and the procedures for completing and signing a maintenance release when maintenance is based on a system other than that of an approved maintenance organization.

- b) names and duties of the person or persons required by regulation 20(3);
- c) a reference to the maintenance programme required by regulation 23(1);
- d) a description of the methods used for the completion and retention of the operator's maintenance records required by regulation 29;
- e) a description of the procedures for monitoring, assessing and reporting maintenance and operational experience;
- f) a description of the procedures for complying with the service information reporting requirements of the Civil Aviation (Airworthiness) Regulations, and regulation 95 (In-flight simulation);
- g) a description of procedures for assessing continuing airworthiness information and implementing any resulting actions;
- h) a description of the procedures for implementing action resulting from mandatory continuing airworthiness information;
- i) a description of establishing and maintaining a system of analysis and continued monitoring of the performance and efficiency of the maintenance programme, in order to correct any deficiency in that programme;
- j) a description of aircraft types and models to which the manual applies;
- k) a description of procedures for ensuring that unserviceabilities affecting airworthiness are recorded and rectified; and
- l) a description of the procedures for advising the State of Registry of significant in-service occurrences.

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EIGHTH SCHEDULE
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REGULATION 105

PENALTIES

REG. NO.	TITLE	PART
4	Compliance with an Air Operator Certificate.	B
9	Amendment of an Air Operator Certificate.	A
10	Access for inspection.	A
11	Conducting tests and inspections.	A
17	Submission and revision of policy and procedure manuals	A
18	Retention and maintenance of personnel and other records.	A
19	Inspection of personnel and other records.	A
20	Flight recorders records.	A
22	Authorised aircraft.	B
23	Dry leasing of foreign registered aircraft.	A
35	Required cabin crewmembers	A
36	Carriage of special situation passengers.	A
52	Routes and areas of operation	A
53	En-route navigational facilities.	A
56	Maintenance responsibility	A
57	Approval and acceptance of AOC maintenance systems.	A
64	Release to service or maintenance section records of the technical log.	A
66	Aircraft maintenance programme.	A
73	Approval to transport dangerous goods.	B
74	Compliance with Technical Instructions.	A
75	Limitations on the transport of dangerous goods.	A
76	Classification of dangerous goods	A
77	Packing.	A
78	Labelling and marking.	A
79	Dangerous goods transport document.	A
80	Acceptance of dangerous goods.	A
81	Inspection for damage, leakage or contamination.	A
82	Removal of contamination.	A
83	Loading restrictions.	A
84	Provision of information.	A
85	Dangerous goods incident and accident reports	A
91	Possession of the licence.	A
92	Drug and alcohol testing and reporting.	A
93	Inspection of licences and certificates.	A
98	Use and retention of certificates and records.	B

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Minister for