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THE CIVIL AVIATION ACT

(No. 21 of 2013)

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THE CIVIL AVIATION ACT

(No. 21 of 2013)

IN EXERCISE of the powers conferred by section 82 of the Civil Aviation Act, 2013 the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development makes the following Regulations—

THE CIVIL AVIATION (AIRWORTHINESS) REGULATIONS,
2018

PART I—PRELIMINARY PROVISIONS

1. These Regulations may be cited as the Civil Aviation (Airworthiness) Regulations, 2018 and shall come into operation on such date as the Cabinet Secretary may, by notice in the Gazette, appoint. Citation.

2. In these Regulations, unless the context otherwise requires— Interpretation.

“acceptable” means the Authority has reviewed the method, procedure, or policy and has neither objected to nor approved its proposed use or implementation;

“Act” means the Civil Aviation Act, 2013;

“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;

“aerial work” means an aircraft operation in which an aircraft is used for specialized services such as agriculture, construction photography, surveying, observation and patrol, search and rescue, aerial advertisement etc.;

“aircraft” means any machine that derives 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 component part of an aircraft up to and including a complete engine or any operational or emergency equipment;

“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 an engine), and landing gear of an aircraft, accessories and controls;

“airworthy” means the status of an aircraft, engine, propeller or part when it conforms to its approved design and is in a condition for safe operation;

“anticipated operating conditions” means those conditions which are known from experience or which can be reasonably envisaged to occur during the operational life of the aircraft, taking into account the operations for which the aircraft is made eligible, the conditions so considered being relative to the meteorological state of the atmosphere, to the configuration of terrain, to the functioning of the aircraft, to the efficiency of personnel and to all the factors affecting safety in flight. Anticipated operating conditions do not include—

Those extremes which can be effectively avoided by means of operating procedures; and those extremes which occur so infrequently that to require the Standards to be met in such extremes would give a higher level of airworthiness than experience has shown to be necessary and practical;

“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, engine or propeller;

“appropriate airworthiness requirements” means the comprehensive and detailed airworthiness codes established, adopted or accepted by a Contracting State for the class of aircraft, engine or propeller under consideration;

“approved” means accepted by the appropriate authority as suitable for a particular purpose;

“approved by the Authority” means approved by the Authority directly or in accordance with a procedure approved by the Authority;

“approved data” means technical information approved by the Authority;

“Approved Maintenance Organisation (AMO)” means an organisation approved to perform specific aircraft maintenance activities by the Authority;

“approved aircraft maintenance programme” means a maintenance programme approved by the Authority;

“associated aircraft systems” means aircraft systems drawing electrical or pneumatic power from an auxiliary power unit during ground operations;

“Authority” means the Kenya Civil Aviation Authority;

“Auxiliary Power-Unit (APU)” means a self-contained power-unit on an aircraft providing electrical or pneumatic power to aircraft systems during ground operations;

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

“bypass ratio” means the ratio of the air mass flow through the bypass ducts of a gas turbine engine to the air mass flow through the

combustion chambers calculated at maximum thrust when the engine is stationary in an international standard atmosphere at sea level;

“calendar day” means the period of elapsed time using Coordinated Universal Time or local time that begins at midnight and ends 24 hours later in the next midnight;

“certificate of release to service” means a document containing a certification that inspection and maintenance work has been performed satisfactorily in accordance with the methods prescribed by the Authority;

“continuing airworthiness” means the set of processes by which an aircraft, engine, propeller or part complies with the applicable airworthiness requirements and remains in a condition for safe operation throughout its operating life;

“date of manufacture or construction” means the date of issue of the document attesting that the individual aircraft or engine as appropriate conforms to the requirements of the type or the date of an analogous document;

“design landing mass” means the maximum mass of the aircraft at which, for structural design purposes, it is assumed that it will be planned to land;

“design take-off mass” means the maximum mass at which the aircraft, for structural design purposes, is assumed to be planned to be at the start of the take-off run;

“design taxing mass” means the maximum mass of the aircraft at which structural provision is made for load liable to occur during use of the aircraft on the ground prior to the start of take-off;

“dry lease” means a lease of an aircraft without crew;

“engine” means a unit used or intended to be used for aircraft propulsion, consisting of at least those components and equipment necessary for functioning and control, but excludes the propeller (if applicable);

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

“factor of safety” means design factor used to provide for the possibility of loads greater than those assumed, and for uncertainties in design and fabrication;

“flight time aeroplane” means the total time from the moment an aeroplane first moves for the purpose of taking off until the moment it comes to rest at the end of the flight;

“flight time helicopters” means the total time from the moment the helicopter blades start turning until the moment the helicopter finally comes to rest at the end of the flight and the rotor blades are stopped;

“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;

“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 a substantially vertical axis;

“human performance” means human capabilities and limitations which have an impact on the safety and efficiency of aeronautical operations;

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

“landing surface” means that part of the surface of an aerodrome which the aerodrome authority has declared available for the normal ground or water run of aircraft landing in a particular direction;

“limit loads” means the maximum loads assumed to occur in the anticipated operating conditions;

“load factor” means the ratio of a specified load to the weight of the aircraft, the former being expressed in terms of aerodynamic forces, inertia forces, or ground reactions;

“maintenance” means that the performance of tasks required to ensure the continuing airworthiness of an aircraft, including any one or combination of overhaul, inspection, replacement, defect rectification, and the embodiment of a modification or repair;

“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;

“maintenance programme” means a document which describes the specific scheduled maintenance tasks and their frequency of completion and related procedures, such as a reliability programme, necessary for the safe operation of those aircraft to which it applies;

“major modification” means a type design change not listed in the aircraft, aircraft engine, or propeller specifications that might appreciably affect the mass and balance limits, structural strength, performance, power plant 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, power plant, operation flight characteristics or other qualities affecting airworthiness or environmental characteristics or that will be embodied in the product using non-standard practices;

“modification” means a change to the type design of an aircraft or aeronautical product which is not a repair;

“operator” means a person, organization or enterprise, engaged in or offering to engage in an aircraft organization;

“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);

“performance Class 1 helicopter” means a helicopter with performance such that, in case of engine failure, it is able to land on the rejected take-off area or safely continue the flight to an appropriate landing area;

“performance Class 2 helicopter” means helicopter with performance such that, in case of engine failure, it is able to safely continue the flight, except when the failure occurs prior to a defined point after take-off or after a defined point before landing, in which cases a forced landing may be required;

“performance Class 3 helicopter” means that a helicopter with performance such that, in case of engine failure at any point in the flight profile, a forced landing must be performed;

“power plant” means the system consisting of all the engines, drive system components (if applicable), propellers (if installed), their accessories, ancillary parts, fuel and oil systems installed on an aircraft but excluding the rotors of a helicopter;

“prescribed” means the Authority has issued written policy or methodology which imposes either a mandatory requirement, if the written policy or methodology states “shall,” or a discretionary requirement if the written policy or methodology states “may”;

“preventive maintenance” means simple or minor preservation operations and the replacement of small standard parts not involving complex assembly operations;

“propeller” means a device for propelling an aircraft that has blades on an engine driven shaft and that when rotated, produces by its action on the air, a thrust approximately perpendicular to its plane of rotation; it includes control components normally supplied by its manufacturer, but does not include main and auxiliary rotors or rotating airfoils of engine;

“rating” means an authorization entered into or associated with a license or certificate and forming part thereof, stating special conditions, privileges or limitations pertaining to such license or certificate;

“rebuild” means the restoration of an aircraft or aircraft component by using methods, techniques, and practices acceptable to the Authority, when it has been disassembled, cleaned, inspected as permitted, repaired as necessary, reassembled, and tested to the same tolerances and limits as a new item, using either new parts or used parts that conform to new part tolerances and limits;

“rendering (a Certificate of Airworthiness) valid” means that the action taken by a Contracting State, as an alternative to issuing its own Certificate of Airworthiness, in accepting a Certificate of Airworthiness issued by any other Contracting State as the equivalent of its own Certificate of Airworthiness;

“repair” means restoration of an aeronautical product to an airworthy condition and to ensure that the aircraft continues to comply with the design aspects of the airworthiness requirements used for the issue of a type certificate, for that aircraft type, after the aircraft has been damaged or subjected to wear;

“satisfactory evidence” means a set of documents or activities that a Contracting State accepts as sufficient to show compliance with an airworthiness requirement;

“signature” means an individual’s unique identification used as a means of authenticating any record entry or a maintenance record; a signature may be hand-written, electronic or any other form acceptable to the Authority;

“smoke” means—

- (a) hot vapor or cloud like gases or visible gaseous or soot containing fine particles of carbon being produced by combustion; or
- (b) the carbonaceous materials in exhaust emissions which obscure the transmission of light;

“specific operating provisions” means a document describing the ratings, Class and or Limited, in detail and containing or referencing material and process specifications used in performing repair work, along with any limitations applied to the approved maintenance organisation;

“standard” means an object, artefact, tool, test equipment, system or experiment that stores, embodies, or otherwise provides a physical quantity which serves as the basis for measurement of the quantity; it also includes a document describing the operations and processes that must be performed in order for a particular end to be achieved;

“State of Design” means the State having jurisdiction over the organization responsible for the type design;

“State of Manufacture” means a 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 or may not also be the state of design;

“State of Registry” means a Contracting State on whose register an aircraft is entered;

“tribunal” means the National Civil Aviation Administrative Review Tribunal established under section 66 of the Act;

“Type Certificate” means a document issued by a Contracting State to define the design of an aircraft type and to certify that this design meets the appropriate airworthiness requirements of that State; and

“validation” means confirmation by a contracting state on the basis of satisfactory evidence that the specific intended use or application complies with the requirements or standards of the state.

3. These Regulations shall apply to all persons operating or maintaining the following— Application.

- (a) Kenyan registered aircraft, wherever operated;
- (b) Aircraft registered in another Contracting State that are operated by a person licensed in Kenya, and must be maintained in accordance with the standards of the aircraft State of Registry, wherever that maintenance is performed; and
- (c) Aircraft of other Contracting States operating in Kenya.

PART II— AIRCRAFT AND COMPONENT ORIGINAL CERTIFICATION AND SUPPLEMENTAL TYPE CERTIFICATES

4. (1) The Authority may accept a type certificate or Acceptance of type of certificate.
Equivalent of type document issued by a state of design in respect of an aircraft or certificate aircraft component if—

- (a) the type certificate or equivalent document was issued based on an airworthiness code recognized by the Authority; or
- (b) the design, materials, construction equipment, performance and maintenance of aircraft or aircraft component technical evaluation against a recognized airworthiness code has been carried out by the Authority and has been found to—
 - (i) meet the required standards of the recognized airworthiness code; or
 - (ii) has complied with any recommendations required by the Authority.

(2) Upon acceptance of the type certificate by the Authority, the Authority may, prior to issue of certificate of airworthiness or restricted certificate of airworthiness, require the applicant to comply with any additional requirements as prescribed by the Authority.

(3) In this regulation, recognized airworthiness code means standards relating to the design, materials, construction equipment, performance and maintenance of aircraft or aircraft component issued by the State of Design and accepted and prescribed by the Authority.

5. Authority shall only accept application for production of aircraft or aircraft component if the Authority is satisfied that—
- Acceptance of production.
- (a) the work to be undertaken conforms to the specified design as approved by the State of Design;
 - (b) there is in place a suitable arrangement with the holder of a type certificate which ensures satisfactory co-ordination between production and design; and
 - (c) there is acceptable arrangement for oversight by the State of Design.
6. (1) A person who alters a product by introducing a major modification in type design, not great enough to require a new application for a type certificate, shall apply for a supplemental type certificate to the regulatory agency of the State of Design that approved the type certificate for that product, or to the State of Registry of the aircraft.
- Issue of supplemental type certificate.
- PART III—CERTIFICATES OF AIRWORTHINESS**
7. (1) An owner of an aircraft registered in Kenya or an agent of the owner may apply to the Authority for issue of a certificate of airworthiness for that aircraft.
- Application for certificate of airworthiness.
- (2) An applicant for a certificate of airworthiness shall apply on a form prescribed by the Authority.
8. (1) A person shall not fly an aircraft unless there is in force in respect of that aircraft, a certificate of airworthiness or restricted certificate of airworthiness or a special flight permit duly issued or rendered valid under the law of the State of Registry and any conditions subject to which the certificate was issued or rendered valid are complied with.
- Certificate of airworthiness to be in force.
- (2) The Certificate of Airworthiness shall contain Information in the First Schedule to these Regulations.
9. The certificates of airworthiness shall be classified as follows—
- Classifications of certificates of airworthiness.
- (a) a certificate of airworthiness;
 - (b) a restricted certificate of airworthiness in the form of a restricted certificate;
 - (c) a special flight permit; and
 - (d) export certificate of airworthiness.
10. The Authority may amend or modify any type of certificate of airworthiness issued under these Regulations upon application by the owner, operator or on the Authority's own initiative.
- Amendment of Certificates of airworthiness.
11. An owner of an aircraft who sells the aircraft shall surrender the certificate of airworthiness or restricted certificate of airworthiness or special flight permit as applicable—
- Surrender of certificate of airworthiness.

- (a) to the buyer upon sale of the aircraft within Kenya; or
- (b) to the Authority in the case of aircraft sold outside Kenya.

12. (1) A certificate of airworthiness or restricted certificate of airworthiness issued under these Regulations shall be valid for 12 months from the date of issue.

Validity and renewal of a Certificate of airworthiness.

(2) The certificates referred to in sub-regulation (1) above shall be valid from the dates of issue for the periods specified unless—

- (a) a shorter period is specified by the Authority;
- (b) the Authority amends, extends, suspends, revokes or otherwise terminates the certificate; and
- (c) the aircraft owner or operator surrenders the certificate to the Authority.

(3) A special flight permit shall be valid for a period of time specified in the permit.

(4) A certificate of airworthiness or restricted certificate of airworthiness issued in respect of an aircraft shall cease to be in force if—

- (a) the aircraft or such of its equipment as is necessary for the airworthiness of the aircraft is maintained or if any part of the aircraft or such equipment is removed or is replaced, otherwise than in a manner and with material of a type approved by the Authority either generally or in relation to a class of aircraft or to the particular aircraft.
- (b) the aircraft or any of its equipment is not maintained as required by the maintenance programme or schedule approved by the Authority in relation to that aircraft;
- (c) an inspection or modification classified as mandatory by the Authority applicable to the aircraft or of any such equipment as aforesaid, has not, been completed to the satisfaction of the Authority; or
- (d) the aircraft or any such equipment as aforementioned sustains damage and the damage is ascertained during inspection which affects the airworthiness of the aircraft.

(5) An application for renewal of a certificate of airworthiness shall be made in a form and manner prescribed by the Authority at least sixty days before the expiry of the certificate.

13. An applicant for a certificate of airworthiness or a restricted certificate of airworthiness or special flight permit shall show that the aircraft is properly registered and marked and has identification plates affixed to the aircraft.

Aircraft identification.

14. (1) A certificate of airworthiness shall be issued for certificates of aircraft in the specific category and model designated by the state of design in the type certificate.

Issue of certificates of airworthiness.

(2) The Authority shall issue a certificate of airworthiness if—

- (a) the applicant presents evidence to the Authority that the aircraft conforms to a type design approved under a type certificate or a supplemental type certificate and to the applicable airworthiness directives of the state of manufacture or design;
- (b) the aircraft has been inspected in accordance with the performance rules of these Regulations for inspections and found airworthy by persons authorised by the Authority to make such determinations within the last thirty days;
- (c) the Authority finds, after an inspection, that the aircraft conforms to type design and is in condition for safe operation;
- (d) the aircraft when operated in accordance with the requirements specified in the flight manual or equivalent document for the aircraft conforms to the approved type specifications specified in the approved type certificate or equivalent document;
- (e) the maintenance determined by the Authority as a prerequisite for issue of a certificate of airworthiness has been carried out and certified by a person acceptable to the Authority in accordance with these Regulations;
- (f) the results of flying trials, and such other tests of the aircraft as the authority may require are complied with the aircraft as the Authority may require, are complied with; and
- (g) the applicant submits an Export Certificate of Airworthiness that shall be valid for 45 days from the date of issue or satisfactory evidence of airworthiness status of the aircraft as applicable issued by the state of manufacture or previous state of registry or satisfactory evidence, in whole or in part, that the aircraft complies with the applicable Standards of the regulation and compliance with the appropriate airworthiness requirements.

(3) The Authority may issue a certificate of airworthiness subject to such other conditions relating to the airworthiness of the aircraft as the Authority thinks fit.

(4) A certificate of airworthiness shall specify one of the following categories as are, in the opinion of the Authority, appropriate to the aircraft operation—

- (a) commercial air transport (passenger);
- (b) commercial air transport (cargo);
- (c) general aviation; or
- (d) aerial work.

(5) A certificate of airworthiness shall be issued subject to the condition that the aircraft shall be flown only for the following purposes—

- (a) commercial air transport (passenger): any purpose;
- (b) commercial air transport (cargo): any purpose other than commercial air transport of passengers;
- (c) aerial work: purpose includes` such tasks as aerial photography, aerial survey (geological and ordnance survey), electrical power line and gas pipeline inspections, carriage of external loads and flight training. Aerial Work does not include the carriage of passengers for hire or reward. Aerial Work Permissions are specific to an operator and a nominated aircraft;
- (d) general aviation: any purpose other than commercial air transport or aerial work.

(6) The Authority may in the process of issuing a certificate of airworthiness demand that reports be furnished by a person qualified to furnish such reports.

(7) The aircraft shall be subjected to such inspections and ground and flight tests as are deemed necessary by the State to show compliance with the design aspects of the appropriate airworthiness requirements.

15. (1) A person shall not operate an aircraft or aircraft components to which an airworthiness directive applies except in accordance with the requirements of airworthiness directive.

Airworthiness
directives and
service bulletins.

(2) Upon registration of an aircraft in Kenya, the Authority shall notify the State of Design of the registration of the aircraft in Kenya, and request that the Authority receive all airworthiness directives addressing that aircraft, airframe, aircraft engine, propeller, appliance or component.

(3) Where the State of Design considers that a condition in an aircraft, airframe, engine, propeller, appliance or component is unsafe as shown by the issue of an airworthiness directive by that State, such directives shall apply to Kenyan registered aircraft of the type identified in that airworthiness directive.

(4) Where a manufacturer identifies a service bulletin as mandatory, such bulletin shall apply to a Kenyan registered aircraft of the type identified in that bulletin.

(5) The Authority may identify manufacturer's service bulletins and other sources of data or develop and prescribe inspections, procedures and limitations for mandatory compliance pertaining to affected aircraft in Kenya.

(6) A person shall not operate any Kenyan registered aircraft to which the measures of this regulation apply, except in accordance with the applicable directives and bulletins.

16. (1) The Authority may issue a restricted certificate of airworthiness to the aircraft that does not qualify for a certificate of airworthiness including micro light, experimental amateur and kit built aircraft, an aircraft used for air races, aircraft flying for exhibition purpose, a kite and any non-type certificated aircraft.

Issue of restricted certificates of airworthiness.

(2) An aircraft holding a restricted certificate of airworthiness shall be subject to operating limitations within Kenya and shall not make international flights.

(3) The Authority shall issue specific operating limitations for each restricted certificate of airworthiness.

17. (1) The Authority may issue a special flight permit for an aircraft that is capable of safe flight but unable to meet applicable airworthiness requirements for the purpose of—

Issue of special flight permits.

- (a) flying to a base where weighing, painting, repairs, modifications, maintenance, or inspections are to be performed or to a point of storage;
- (b) flying for the purpose of experimenting with or testing the aircraft including its engines and equipment;
- (c) flying for the purpose of qualifying for the issue, renewal or validation of certificate of airworthiness or restricted certificate of airworthiness and the approval of a modification of the aircraft;
- (d) delivering or exporting the aircraft;
- (e) evacuating aircraft from areas of impending danger; and
- (f) operating at mass in excess of the aircraft's maximum certified takeoff mass for flight beyond normal range over water or land areas where adequate landing facilities or appropriate fuel are unavailable with the excess mass limited to additional fuel, fuel-carrying facilities, and navigation equipment necessary for the flight.

(2) The Authority shall issue a special flight permit if the applicant submits—

- (a) an application made in a form and manner prescribed by the Authority;
- (b) a certificate of registration;
- (c) a valid certificate of insurance,

a certificate of fitness for flight signed by an authorised person any other requirement requested by the authority.

18. (1) An owner of an aircraft registered in Kenya or an agent of the owner may apply to the Authority for issue of an export certificate of airworthiness for aeronautical products or article.

Export Certificate of Airworthiness.

(2) The certificates of airworthiness shall be classified as follows—

- (a) Class I product- complete aircraft engine or propeller which has been certificated;
 - (b) Class II product – a major component of Class I product such as a wing, fuselage and empennage service, the failure of which would jeopardize the safety of a class I product or any part, material or system thereof;
 - (c) Class III product- any product or component which is not a Class I or Class II product or standard part.
- (3) An application for an export certificate of airworthiness shall be made on a form prescribed by the Authority at least 14 days before the intended date of export of the aircraft out of Kenya.
- (4) The Authority shall issue an export certificate of airworthiness if—
- (a) the applicant submits a statement of compliance with the full intents of the approved maintenance programme or schedule;
 - (b) the applicant submits a statement of compliance with the mandatory airworthiness directives and service bulletins applicable to the aircraft and its equipment;
 - (c) the aircraft has been inspected in accordance with the performance rules of these regulations and found airworthy by persons authorised by the Authority to make such determination within the last 14 days;
 - (d) the maintenance determined by the Authority as a prerequisite for issue of the export certificate of airworthiness has been carried out and certified by a person acceptable to the Authority in accordance with these regulations; the result of test flight, and such other tests as the Authority may determine are complied with;
 - (e) historical records establish the production, modification and maintenance standard of the aircraft; or
 - (f) a weight and balance report with a loading schedule, where applicable, for each aircraft in accordance with the applicable regulations is furnished to the Authority.
- (5) Export certificate of airworthiness shall not be used for the purpose of flight but for confirmation of recent satisfactory review of the airworthiness status of the aircraft.
- (6) Any extension or variations granted to an aircraft in accordance with an approved maintenance programme or schedule shall be automatically revoked before issue of the export certificate of airworthiness.

19. (1) A person shall not fly an aircraft on a special flight permit unless that person has complied with conditions of this Regulation.

Conditions on the special flight permit.

(2) A person who flies an aircraft on a special flight permit referred to under regulation 17 shall ensure that—

- (a) the flight is made under the supervision of a person approved by the Authority for such flight, subject to any additional conditions which may be specified in the permit;
- (b) a copy of the permit is carried on board the aircraft at all times when the aircraft is operating under the conditions of the permit;
- (c) operating under the conditions of the permit;
- (d) the aircraft registration markings assigned to the aircraft are displayed;
- (e) no persons or property are carried on board for hire or reward;
- (f) only persons essential for the safe operation of the aircraft are carried on the aircraft and the person must be advised of the contents of the permit;
- (g) the aircraft is operated only by flight crew holding appropriate license with sufficient experience to appreciate the reasons for the aircraft non-compliance to the prescribed airworthiness standards;
- (h) the flight is conducted in accordance with applicable flight operating rules and procedures of the states of the intended routing;
- (i) the routing is such that areas of heavy air traffic, areas of heavy human concentration of a city, town settlement or any other areas where the flight might create hazardous exposure to persons or property are avoided;
- (j) the flight is performed in accordance to the performance limitations prescribed in the aircraft flight manual and any other limitation that the Authority may impose on such flight;
- (k) all flights are conducted prior to the expiry date of the special flight permit or at any other time the Authority declares so in writing; and
- (l) the aircraft shall not depart for the flight on a special flight permit unless the aircraft has on board authorizations from the State of intended routing.

(3) The operator shall inform the State on the conditions of the aircraft and intended flight and the operator must obtain their consent.

(4) The Authority shall require a properly executed

maintenance endorsement statement in the aircraft permanent record by an authorised person stating that the subject aircraft has been inspected and found to be safe for the intended flight.

(5) The special flight issued under these regulations shall be valid for a single flight as prescribed in the routing.

20. (1) A person shall not fly an aircraft for the purpose of flight testing after repair, modification or maintenance unless that aircraft has been issued with a Certificate of Fitness for Flight containing a maintenance endorsement statement.

Certificate of fitness for flight.

(2) A certificate of fitness for flight shall be issued by an appropriate qualified person in accordance with these Regulations and the Civil Aviation (Personnel Licensing) Regulations.

(3) A certificate of fitness for flight is the basis under which the Authority may issue a special flight permit under regulation 17 for the purpose of allowing the aircraft to be ferried.

(4) A certificate of fitness for flight may be used as a basis for ferry or to flight test an aircraft after repair, modifications or maintenance as long as the aircraft does not make an international flight; and is not, for purposes of these Regulations, a certificate of airworthiness.

PART IV—CONTINUED AIRWORTHINESS OF AIRCRAFT AND AIRCRAFT COMPONENTS

21. (1) An owner or operator of an aircraft shall be for responsible for maintaining the aircraft in an airworthy condition by ensuring that

Responsibility for maintenance.

- (a) all maintenance which affect airworthiness are performed as prescribed by the State of Registry;
- (b) maintenance personnel make appropriate entries in the aircraft maintenance records certifying that the aircraft is airworthy;
- (c) the certificate of release to service is completed to the effect that the maintenance work performed has been completed satisfactorily and in accordance with the prescribed methods including an approved maintenance program as approved by the Authority; and
- (d) in the event there are open discrepancies, the certificate of release to service includes a list of the uncorrected maintenance items which are made part of the aircraft permanent records.

(2) In the event that an aircraft registered in Kenya is continuously operated outside Kenya for a period exceeding thirty days, the owner or operator of the aircraft shall be responsible for maintaining the aircraft in an airworthy condition and ensuring that—

- (a) notice in a form prescribed by the Authority, is given to the Authority prior to the aircraft undertaking such operations; and
- (b) arrangements acceptable to the Authority for ongoing inspection and oversight of the airworthiness of that aircraft are made.

(3) The operator of a helicopter of over 3,175 kg maximum mass shall monitor and assess maintenance and operational experience with respect to continuing airworthiness and provide the information as prescribed by the State of Registry and report through the system prescribed by the Authority.

22. (1) An operator of an aircraft shall—

- (a) monitor and assess maintenance and operational experience with respect to continuing airworthiness and provide the information as prescribed by the Authority;
- (b) obtain and assess continuing airworthiness information and recommendations available from the organisation responsible for the type design and implement resulting actions considered necessary in accordance with a procedure acceptable to the Authority.

Continuing
airworthiness
information.

(2) Any failure to maintain an aircraft in an airworthy condition as defined by the appropriate airworthiness requirements shall render the aircraft ineligible for operation until the aircraft is restored to an airworthy condition.

(3) Information for use in developing procedures

for maintaining the aeroplane in an airworthy condition shall be made available.

(4) Maintenance information shall include a description of the aeroplane and recommended methods for the accomplishment of maintenance tasks. Such information shall include guidance on defect diagnosis and ageing aircraft maintenance requirements.

(5) Maintenance programme information shall include the maintenance tasks and the recommended intervals at which these tasks are to be performed

23. (1) The Authority shall—

- (a) ensure that, when it first enters on its register an aircraft of a particular type for which it is not the State of Design and issues or validates a Certificate of Airworthiness in regulation 14, and it shall notify the State of Design that it has entered such an aircraft on its register;
- (b) determine the continuing airworthiness of an aircraft in relation to the appropriate airworthiness requirements in force for that aircraft;
- (c) develop or adopt requirements to ensure the continuing airworthiness of the aircraft during its service life, including requirements to ensure that the aircraft
 - (i) continues to comply with the appropriate airworthiness requirements after a modification, a repair or the installation of a replacement part; and

Responsibilities
of the Authority
on continuing
airworthiness.

- (ii) is maintained in an airworthy condition and in compliance with the maintenance requirements of Civil Aviation (Air Operator Certificate And Administration) Regulations,, and theses, this Regulations;
- (d) ensure that the operator continues to comply with the appropriate airworthiness requirements after a modification, a repair or the installation of a replacement part; and
- (e) ensure that the aircraft is maintained in an airworthy condition and in compliance with the maintenance requirements of Part V of the Civil Aviation (Air Operator Certification and Administration) Regulations and these Regulations;
- (f) upon receipt of mandatory continuing airworthiness information from the State of Design, adopt the mandatory information directly or assess the information received and take appropriate action;
- (g) ensure that all mandatory continuing airworthiness information which it, as the Authority, originated in respect of that aircraft, is transmitted to the appropriate State of Design; and
- (h) ensure that, in respect of aeroplane over 5 700 kg and helicopters over 3 175 kg maximum certificated take-off mass, there exists a system whereby information on faults, malfunctions, defects and other occurrences that cause or might cause adverse effects on the continuing airworthiness of the aircraft is transmitted to the organization responsible for the type design of that aircraft.

(2) Whenever this information relates to an engine or propeller, such information shall be transmitted to both the organization responsible for engine or propeller type design and the organization responsible for aircraft type design. Where a continuing airworthiness safety issue is associated with a modification, the Authority shall ensure that there exists a system whereby the above information is transmitted to the organization responsible for the design of the modification.

(3) When an aircraft has sustained damage, the Authority shall judge whether the damage is of a nature such that the aircraft is no longer airworthy as defined by the appropriate airworthiness requirements.

(4) If the damage is sustained or ascertained when the aircraft is in the territory of another Contracting State, the authorities of the other Contracting State shall be entitled to prevent the aircraft from resuming its flight on the condition that they shall advise the State of Registry immediately, communicating to it all details necessary to formulate the judgment referred to in (2).

(5) When the Authority considers that the damage sustained is of a nature such that the aircraft is no longer airworthy, it shall prohibit the aircraft from resuming flight until it is restored to an airworthy condition and the Authority may, in exceptional circumstances, prescribe particular limiting conditions to permit the aircraft to fly a non-commercial air transport operation to an aerodrome at which it will be restored to an airworthy condition.

(6) In prescribing particular limiting conditions the Authority shall consider all limitations proposed by the Contracting State that had originally, in accordance with this regulation, prevented the aircraft from resuming its flight and the Contracting State shall permit such flight or flights within the prescribed limitations.

(7) When the Authority considers that the damage sustained is of a nature such that the aircraft is still airworthy, the aircraft shall be allowed to resume its flight.

24. An aircraft registered in Kenya shall not engage in any operations, unless—

Compliance with the manufacturer's instructions.

- (a) the aircraft, including its engines, equipment and radios has been maintained in accordance with the approved maintenance programme and maintenance procedures recommended by the aircraft manufacturer;
- (b) a certificate of release to service has been completed and signed by a licensed aircraft maintenance engineer to certify that all maintenance work has been completed satisfactorily and in accordance with the approved maintenance programme and procedures; and
- (c) there is an accepted aircraft flight manual, pilot operating handbook or owner's manual available in the aircraft for the use of the flight crew, containing the limitations within which the aircraft is considered airworthy, together with such additional instructions and information as may be necessary to show compliance with the specified regulations relating to performance and for the safe operation of the aircraft, except that if the aircraft has a maximum take-off certificated mass of 5,700 kg or less, the limitations may be made available by means of placards or other documents accepted by the Authority.

25. An operator shall ensure that—

Safety and survival equipment.

- (a) prescribed safety and survival equipment that the crew or passengers are expected to use are accessible and easily identified, and its method of operation are clearly marked;
- (b) the aircraft shall be equipped to provide the crew and occupants with the maximum opportunity to survive in the expected external environment for a reasonable time-span and items to be considered shall include—
 - (i) number of life rafts and life jackets;

- (ii) survival equipment suited to the likely environment;
- (iii) emergency radios and pyrotechnical distress signaling equipment; and
- (iv) automatic emergency radio beacons.

26. (1) An owner or operator of an aircraft registered in Kenya shall report to the Authority any failures, malfunctions, or defects that may result in at least one of the following –

Reporting of failures, malfunctions, and defects

- (a) fires during flight and whether the related fire-warning system properly operated;
- (b) fires during flight not protected by a related fire-warning system;
- (c) false fire warning during flight;
- (d) an engine exhaust system that causes damage during flight to the engine, adjacent structure, equipment, or components;
- (e) an aircraft component that causes accumulation or circulation of smoke, vapor, or toxic or noxious fumes in the crew compartment or passenger cabin during flight;
- (f) engine shutdown during flight because of flameout;
- (g) engine shutdown during flight when external damage to the engine or aircraft structure occurs;
- (h) engine shutdown during flight due to foreign object ingestion or icing;
- (i) shutdown during flight of more than one engine on a multi-engine aircraft;
- (j) a propeller feathering malfunction or inability of the system to control over-speed during flight;
- (k) a fuel or fuel-dumping system malfunction that affects fuel flow or causes hazardous leakage during flight;
- (l) an uncommanded landing gear extension or retraction, or opening or closing of landing gear doors during flight;
- (m) brake system components malfunction that result in loss of brake actuating force when the aircraft is in motion on the ground;
- (n) aircraft structure damage that requires major repair;
- (o) failure or malfunction of any flight control system, flap, Slat or spoiler;
- (p) any excessive unscheduled removals of essential equipment on account of defects;
- (q) cracks, permanent deformation, or corrosion of aircraft structure, if more than the maximum acceptable to the manufacturer or the Authority;

- (r) aircraft components or systems malfunctions that result in taking emergency actions during flight except action to shut down an engine;
 - (s) emergency evacuation systems or components including all exit doors, passenger emergency evacuating lighting systems, or evacuation equipment that are found defective, or that fail to perform the intended functions during an actual emergency or during training, testing, maintenance, demonstration, or inadvertent deployments;
 - (t) each interruption to a flight, unscheduled change of aircraft en route, or unscheduled stop or diversion from a route, caused by known or suspected technical difficulties or malfunctions;
 - (u) any abnormal vibration or buffeting caused by a structural or system malfunction, defect, or failure;
 - (v) failure or malfunction of more than one attitude, airspeed, or altitude instrument during a given operation of the aircraft;
 - (w) the number of engines removed prematurely because of malfunction, failure or defect, listed by make and model and the aircraft type in which it was installed; or
 - (x) the number of propeller featherings in flight, listed by type of propeller and engine and aircraft on which it was installed.
- (2) A report required under this regulation shall—
- (a) be made within three days after determining that the failure, malfunction, or defect required to be reported has occurred; and
 - (b) include as much of the following information as is available and applicable—
 - (i) type and registration mark of the aircraft;
 - (ii) name of the operator;
 - (iii) aircraft serial number;
 - (iv) where the failure, malfunction, or defect is associated with an article approved under a Technical Standard Order (TSO) authorisation, the article serial number and model designation, as appropriate;
 - (v) where the failure, malfunction or defect is associated with an engine or propeller, the engine or propeller serial number, as appropriate;
 - (vi) product model;
 - (vii) identification of the part, component, or system involved, including the part number; and

(viii) the nature of the failure, malfunction, or defect.

(3) The Authority, upon receipt of the report specified in sub-regulation (2) for aircraft registered in Kenya, shall submit the reports to the State of Design.

(4) The Authority, upon receipt of the report specified in sub-regulation (2) for foreign registered aircraft operating in Kenya, shall submit all such reports to the State of Registry and the State of Design.

PART V—AIRCRAFT MAINTENANCE AND INSPECTION

27. (1) A person shall not perform any task defined as maintenance on an aircraft or aircraft components, except as provided in this regulation.

Persons authorised to perform maintenance, preventive maintenance and modification.

(2) The following are the persons authorised to perform maintenance, preventive maintenance and modification—

- (a) a pilot licensed by the Authority;
- (b) a person performing maintenance under the supervision of a licensed aircraft maintenance engineer(LAME);
- (c) a LAME; and
- (d) an AMO.

(3) A pilot licensed by the Authority may perform preventive maintenance on an aircraft of maximum certificated take-off mass of 5,700 kg or less owned or operated by that pilot so long as the aircraft is not listed for use by an AOC holder and the pilot has attended maintenance course on the type of aircraft.

(4) A pilot licenced by the Authority operating a balloon listed for use by an AOC holder may perform maintenance, preventive maintenance and modification on balloons, provided that pilot has been trained on the appropriate balloon maintenance.

(5) A person working under the supervision of a LAME may perform the maintenance, preventive maintenance, or modifications that the LAME is authorised to perform if the supervising LAME—

- (a) personally observes the work being done to the extent necessary to ensure that it is being done properly; and
- (b) is readily available, in person, for consultation.

(6) A LAME may perform or supervise the maintenance or modification of an aircraft or aircraft component for which he or she is rated in accordance with the Civil Aviation (Personnel Licensing) Regulation.

(7) An AMO may perform aircraft maintenance within the limits specified by the Authority.

- (8) A manufacturer holding an AMO certificate may—

- (a) rebuild or alter any aircraft component manufactured by that manufacturer under a type or production certificate;
- (b) rebuild or alter any aircraft component manufactured by that manufacturer under a Technical Standard Order (TSO) Authorisation, a Parts Manufacturer Approval (PMA) by the State of Design, or product and process specification issued by the State of Design; and
- (c) perform any inspection required by the Civil Aviation (Operation of Aircraft) Regulations, on aircraft that the manufacturer manufactures, while currently operating under a production certificate or under a currently approved production inspection system for such aircraft.

28. (1) Except as authorized by the Authority, a person shall not approve an aircraft, airframe, engine, propeller, appliance, or component for return to service after it has undergone maintenance, preventive maintenance, rebuilding, or modification.

Personnel authorised to approve for return to service.

(2) The following persons are authorised to approve for return to service—

- (a) a pilot licensed by the Authority who may return his or her aircraft to service after performing authorised preventive maintenance provided he has successfully completed an approved maintenance course on the type of aircraft;
- (b) a pilot licensed by the Authority who may return his or her aircraft to service after performing authorised preventive maintenance provided he has successfully completed an approved maintenance course on the type of aircraft;
- (c) a LAME who may approve aircraft and aircraft components for return to service after the LAME has performed, supervised, or inspected its maintenance subject to the limitations specified in the Civil Aviation (Personnel Licensing) Regulations and Civil Aviation (Air Operator Certification and Administration) Regulations;
- (d) an AMO that may approve aircraft and aircraft components for return to service as provided in the operations specific operating provisions approved by the Authority.

(3) The persons authorized to approve modifications under Sub-Regulation 1 must have sound knowledge of the design principles embodied in the Aircraft type being modified or repaired.

29.(1) Except as authorized by the Authority, a person

shall not perform the inspections required by these Regulations, for aircraft and aircraft components prior to or after the aircraft has undergone maintenance, preventive maintenance, rebuilding, or modification.

Persons authorised to perform inspections.

(2) The following persons are authorised to carry out inspections—

- (a) a LAME who may conduct the required inspections of aircraft and aircraft components for which the LAME is rated and current; or
- (b) an AMO that may perform the required inspections of aircraft and aircraft components as provided in the specific operating provisions approved by the Authority.

30. Preventive maintenance is limited to the following work—

Preventive
Maintenance
Limitations.

- (a) removal, installation and repair of landing gear tires;
- (b) replacing elastic shock absorber cords on landing gear;
- (c) servicing landing gear shock struts by adding oil, air, or both;
- (d) servicing landing gear wheel bearings, such as cleaning and greasing;
- (e) replacing defective safety wiring or cotter keys;
- (f) lubrication not requiring disassembly other than removal of non-structural items such as cover plates, cowlings, and fairings;
- (g) making simple fabric patches not requiring rib stitching or the removal of structural parts or control surfaces;
- (h) replenishing hydraulic fluid in the hydraulic reservoir;
- (i) refinishing decorative coating of fuselage, wings, tail group surfaces excluding balanced control surfaces, fairings, cowling, landing gear, cabin, or cockpit interior when removal or disassembly of any primary structure or operating system is not required;
- (j) applying preservative or protective material to components where no disassembly of any primary structure or operating system is involved and where such coating is not prohibited or is not contrary to good practices;
- (k) repairing upholstery and decorative furnishings of the cabin or cockpit when the repairing does not require disassembly of any primary structure or operating system or interfere with an operating system or affect primary structure of the aircraft;
- (l) making small simple repairs to fairings, non-structural cover plates, cowlings, and small patches and reinforcements not changing the contour so as to interfere with proper airflow;
- (m) replacing side windows where that work does not interfere with the structure of any operating system such as controls and electrical equipment;
- (n) replacing safety belts;
- (o) replacing seats or seat parts with replacement parts approved for the aircraft, not involving disassembly of any primary structure or operating system;

- (p) troubleshooting and repairing broken circuits in landing light wiring circuits;
- (q) replacing bulbs, reflectors, and lenses of position and landing lights;
- (r) replacing wheels and skis where no mass and balance computation is involved;
- (s) replacing any cowling not requiring removal of the propeller or disconnection of flight controls;
- (t) replacing or cleaning spark plugs and setting of spark plug gap clearance;
- (u) replacing any hose connection except hydraulic connections;
- (v) replacing prefabricated fuel lines;
- (w) cleaning fuel and oil strainers;
- (x) replacing and servicing batteries;
- (y) replacement or adjustment of non-structural fasteners incidental to operations; and
- (z) the installation of anti-misfueling devices to reduce the diameter of fuel tank filler openings provided the specific device has been made a part of the aircraft type certificate data by the aircraft manufacturer, the manufacturer has provided appropriately approved instructions acceptable to the Authority for the installation of the specific device, and installation does not involve the disassembly of the existing filler opening.

31.(1) A person performing maintenance, preventive maintenance, or modification on an aircraft or aircraft component shall use the methods, techniques, and practices prescribed in—

Performance
rules:
maintenance.

- (a) the current manufacturer's maintenance manual or instructions for continued airworthiness issued by its manufacturer; and
- (b) additional methods, techniques and practices required by the Authority; or methods, techniques and practices approved by the Authority where the manufacturer's documents were not available.

(2) A person shall use the tools, equipment, and test apparatus necessary to assure completion of the work in accordance with accepted industry practices.

(3) If the involved manufacturer recommends special equipment or test apparatus, the person performing maintenance shall use that equipment or apparatus, or its equivalent acceptable to the Authority.

(4) A person performing maintenance, preventive maintenance, or modification on an aircraft or aircraft component shall do that work

in such a manner, and use materials of such a quality, that the condition of the aircraft or aircraft component worked on will be at least equal to its original or properly altered condition with regard to aerodynamic function, structural strength, resistance to vibration and deterioration, and other qualities affecting airworthiness.

(5) The methods, techniques, and practices contained in an AOC holder's maintenance control manual and, maintenance programme, as approved by the Authority, will constitute an acceptable means of compliance with the requirements of this regulation.

(6) The methods, techniques, and practices contained in an AMO Maintenance Procedures Manual as approved by the Authority, will constitute an acceptable means of compliance with the requirements of these Regulations.

32.(1) A person performing an inspection required by the Authority shall—

Performance rules: inspection.

- (a) perform the inspection so as to determine whether the aircraft or portion of the aircraft under inspection meets all applicable airworthiness requirements; and
 - (b) if there is an inspection programme required or accepted for the specific aircraft being inspected, perform the inspection in accordance with the instructions and procedures specified in the inspection programme.
- (2) A person performing an inspection required on a rotorcraft shall inspect, in accordance with the maintenance manual or instructions for continued airworthiness, the systems which shall include, but not limited to—
- (a) the drive shafts or similar systems;
 - (b) the main rotor transmission gear box for obvious defects;
 - (c) the main rotor and center section or the equivalent area; and
 - (d) the auxiliary rotor on helicopters.
- (3) A person performing an inspection shall use a checklist while performing the inspection, which—
- (a) may be of the person's own design, one provided by the manufacturer of the equipment being inspected, or one obtained from another source; and
 - (b) shall include the scope and detail of the items prescribed or approved by the Authority.
- (4) A person approving a reciprocating-engine-powered aircraft for return to service after an inspection shall, before that approval, run the aircraft engine or engines to determine satisfactory performance in accordance with the current manufacturer's recommendations of—
- (a) power output (static and idle revolutions per minute);
 - (b) magnetos;

- (c) fuel and oil pressure; and
- (d) cylinder and oil temperature.

(5) A person approving a turbine-engine-powered aircraft for return to service shall, before that approval, run the aircraft engine or engines to determine satisfactory performance in accordance with the current manufacturer's recommendations.

(6) A person performing an inspection shall, before that inspection, thoroughly clean the aircraft and aircraft engine and remove or open all necessary inspection plates, access doors, fairings, and cowlings.

(7) A person performing an inspection shall inspect, where applicable, the following components—

- (a) fuselage and hull group—
 - (i) fabric and skin for deterioration, distortion, other evidence of failure, and defective or insecure attachment of fittings; and
 - (ii) systems and components for improper installation, apparent defects, and unsatisfactory operation;
- (b) cabin and cockpit group—
 - (i) generally for uncleanness and loose equipment that foul the controls;
 - (ii) seats and safety belts for poor condition and apparent defects;
 - (iii) leakage;
 - (iv) instruments for poor condition, mounting, marking, and where practicable for improper operation;
 - (v) flight and engine controls for improper installation and improper operation;
 - (vi) batteries for improper installation and improper charge;
 - (vii) all systems for improper installation, poor general condition, apparent and obvious defects, and insecurity of attachment.
- (c) engine and nacelle group—
 - (i) engine section for visual evidence of excessive oil, fuel, or hydraulic leaks, and sources of such leaks;
 - (ii) studs and nuts for improper torquing and obvious defects;
 - (iii) internal engine for cylinder compression and for metal particles or foreign matter on screens and sump drain plugs, if there is weak cylinder compression, for improper internal condition and improper internal tolerances;

- (iv) engine mount - for cracks, looseness of mounting, and looseness of engine to mount;
 - (v) flexible vibration dampeners - for poor condition and deterioration;
 - (vi) engine controls for defects, improper travel, and improper safe tying;
 - (vii) lines, hoses, and clamps for leaks, improper condition, and looseness;
 - (viii) exhaust stacks for cracks, defects, and improper attachment;
 - (ix) accessories for apparent defects in security of mounting;
 - (x) all systems for improper installation, poor general condition, defects, and insecure attachment;
 - (xi) cowling for cracks and defects;
- (d) landing gear group—
- (i) all units for poor condition and insecurity of attachment;
 - (ii) shock absorbing devices for improper oleo fluid level;
 - (iii) linkages, trusses, and members for undue or excessive wear, fatigue, and distortion;
 - (iv) retracting and locking mechanism for improper operation;
 - (v) hydraulic lines for leakage;
 - (vi) electrical system for chafing and improper operation of switches;
 - (vii) wheels for cracks, defects, and condition of bearings;
 - (viii) tires for wear and cuts;
 - (ix) brakes for improper adjustment;
 - (x) floats and skis for insecure attachment and obvious or apparent defects;
- (e) wing and centre section assembly for—
- (i) poor general condition;
 - (ii) fabric or skin deterioration;
 - (iii) distortion;
 - (iv) evidence of failure;
 - (v) insecurity of attachment;

- (f) complete empennage assembly for—
- (i) poor general condition;
 - (ii) fabric or skin deterioration;
 - (iii) distortion;
 - (iv) evidence of failure;
 - (v) insecure attachment;
 - (vi) improper component installation;
 - (vii) improper component operation;
- (g) propeller group—
- (i) propeller assembly - for cracks, nicks, binds, and oil leakage;
 - (ii) bolts - for improper torquing and lack of safety;
 - (iii) anti-icing devices - for improper operations and obvious defects;
 - (iv) control mechanisms - for improper operation, insecure mounting, and restricted travel;
- (h) avionics and instrument equipment—
- (i) for improper installation and insecure mounting;
 - (ii) wiring and conduits - for improper routing, insecure mounting, and obvious defects;
 - (iii) bonding and shielding for improper installation and poor condition;
 - (iv) antenna including trailing antenna - for poor condition, insecure mounting, and improper operation;
- (i) electronic/electrical group—
- (i) wiring and conduits for improper routing,
 - (ii) insecure mounting, and obvious defects;
 - (iii) bonding and shielding for improper installation and poor condition; and
 - (v) each installed miscellaneous item that is not otherwise covered by this listing or has instructions for continued airworthiness for improper installation and improper operation.

33. A person performing an inspection or other maintenance specified in an airworthiness limitations section of a current manufacturer's maintenance manual, or instructions for continued airworthiness, shall perform the inspection or other maintenance in accordance with that section, or in accordance with specific operating provisions approved by the Authority.

Airworthiness
limitation
performance
rules.

34. (1) An aircraft in respect of which a certificate of airworthiness is issued under these Regulations shall be weighed and the position of the aircraft's centre of gravity determined, at such times and in such manner as the Authority may require or approve in the case of that aircraft.

Aircraft mass schedule.

(2) Upon the aircraft being weighed, the owner or operator of the aircraft shall prepare a mass schedule showing—

- (a) the basic mass of the aircraft, namely the mass of the empty aircraft together with the mass of unusable fuel and unusable oil in the aircraft and of such items of equipment as are indicated in the mass schedule, or such other mass as may be approved by the Authority in the case of that aircraft; or
- (b) the position of the centre of gravity of the aircraft when the aircraft contains only the items included in the basic mass or such other position of the centre of gravity as may be approved by the Authority in the case of that aircraft;
- (c) the loading information shall include the empty mass of the aircraft, together with a definition of the condition of the aircraft at the time of weighing, the corresponding centre of gravity position, and the reference points and datum lines to which the centre of gravity limits are related;
- (d) the loading information shall include the empty mass of the aircraft, together with a definition of the condition of the aircraft at the time of weighing, the corresponding centre of gravity position, and the reference points and datum lines to which the centre of gravity limits are related;
- (e) the loading limitations shall include all limiting masses, centers of gravity positions, mass distributions, and floor loadings.

(3) The mass schedule shall be preserved by the operator of the aircraft until the expiration of a period of six months following the next occasion on which the aircraft is weighed for the purpose of this Regulation.

35. An operator shall ensure that markings and placards—

Markings and Placards.

- (a) on instruments, equipment, controls, etc., shall include such limitations or information as necessary for the direct attention of the flight crew during flight; or
- (b) instructions shall be provided to give any information that is essential to the ground crew in order to preclude the possibility of mistakes in ground servicing (e.g. towing, refueling) that could pass unnoticed and that could jeopardize the safety of the aircraft in subsequent flights.

PART VI—AIRCRAFT NOISE CERTIFICATION

36. (1) An aircraft to which this regulation applies shall not land or take off in Kenya unless there is in force a noise certificate issued or

Requirement of noise

rendered valid by the competent Authority in which the aircraft is registered. certification.

- (2) Each application shall include—
- (a) with regard to a new aircraft—
 - (i) a statement of conformity issued by State of Manufacture or exporting Authority;
 - (ii) the noise information determined in accordance with the applicable noise requirements.
 - (b) with regard to a used aircraft—
 - (i) the noise information determined in accordance with applicable noise requirements, and
 - (ii) historical records to establish the production, modification and maintenance standard of the aircraft.

37. (1) The provisions of sub-regulations (2) and (3) shall apply to all turbojet and turbofan engines intended for propulsion. Engine Emission certifications.

(2) Emissions certification shall be granted by the Authority on the basis of satisfactory evidence that the engine complies with requirements which are at least equal to the stringency of the provisions of these Regulations.

(3) The document attesting emissions certification for each individual engine shall include at least the following information which is applicable to the engine type—

- (a) name of certificating authority;
- (b) manufacturers type and model designation;
- (c) statement of any additional modifications incorporated for the purpose of compliance with the applicable emissions certification requirements;
- (d) rated thrust;
- (e) reference pressure ratio;
- (f) a statement indicating compliance with Smoke Number requirements;
- (g) a statement indicating compliance with gaseous pollutant requirements.

(4) The Authority shall recognize as valid emissions certification granted by the certificating authority of another State provided that the requirements under which such certification was granted are not less stringent than the provisions of these Regulations.

38. (1) An aircraft included in the classification defined for noise certification purpose in Part A of the Second Schedule to these Regulations shall be issued with a noise certificate or a suitable statement attesting noise certification contained in another document approved by the State of Registry and required by that State to be carried in the aircraft. Issue, suspension, revocation of aircraft noise certificate.

(2) The noise certificate referred to in sub-regulation (1) shall be issued or validated by the Authority on the basis of satisfactory evidence that the aircraft complies with the requirements which are at least equal to the applicable standards specified in the Second Schedule to these Regulations.

(3) The document attesting noise certification of an aircraft shall provide information in accordance with Part B of the Second Schedule to these Regulations.

(4) The Authority shall —

- (a) suspend or revoke the noise certificate of aircraft on the civil aircraft register if the aircraft ceases to comply with the applicable noise standards; and
- (b) not re-instate or grant a new noise certificate unless the aircraft is found on reassessment to comply with the applicable noise standards.

(5) The provisions of sub regulation (2) to (4) shall apply to all engines included in the classifications defined for emission certification purposes where such engines are fitted to aircraft engaged in international air navigation.

(6) Where ownership of an aircraft has changed the noise certificate shall be transferred together with the aircraft.

(7) A noise certificate shall be issued for an unlimited duration. It shall remain valid subject to —

- (a) compliance with the applicable type design, environmental protection and continuing airworthiness requirements;
- (b) the aircraft for which the certificate is issued retains the same registration marks; and
- (c) the certificate has not been suspended, surrendered or revoked.

PART VII—MAINTENANCE RECORDS AND ENTRIES

39. (1) All operators shall maintain a certificate of release to service in duplicate.

Keeping
certificate of
release to
service records.

(2) A certificate of release to service issued shall —

- (a) be effective from the date of issue;
- (b) cease to be effective upon expiration of the period in calendar days or flight time, whichever is earlier as specified in the maintenance schedule; and
- (c) be kept on board the aircraft and the original kept by the operator.

40. (1) A technical logbook shall be kept in respect of every aircraft registered in Kenya in respect of which a certificate in either commercial air transport or aerial work category is in force.

Technical
Logbook.

(2) Technical logbook entries on defects which affect the airworthiness and safe operation of the aircraft shall be made as specified in the Civil Aviation (Air Operator Certification and Administration) Regulations 2018.

(3) Upon rectification of any defect which has been entered in the technical logbook in accordance with sub-regulation (2) of this regulation, a person issuing a certificate of release to service under Civil Aviation (Approved Maintenance Organisation) Regulations 2018, in respect of that defect shall enter that certificate in the technical logbook.

41. (1) In addition to any other log books required by or under these Regulations, the following log books shall be kept in respect of aircraft registered in Kenya—

Aircraft, engine and propeller logbooks.

- (a) an aircraft log book;
- (b) a separate log book in respect of each engine fitted in the aircraft; and
- (c) a separate log book in respect of each variable pitch propeller fitted to the aircraft;

(2) The log books shall include the particulars respectively specified in the Third Schedule to these Regulations and in the case of an aircraft having a maximum certificated take-off mass of 2730 kg or less, shall be of a type approved by the Authority.

(3) An entry in a log book other than such an entry as is referred to in sub-paragraphs 2(d) (ii) or 3 (d)(ii) of the Third Schedule to these Regulations shall be made as soon as practicable after the occurrence to which it relates, but not more than 7 days after the expiration of the Certificate of Release to Service, in force in respect of the aircraft at the time of the occurrence.

(4) An entry in a log book, being such an entry as is referred to in sub-paragraphs 2(d) (ii) or 3(d)(ii) of the Third Schedule to these Regulations shall be made upon each occasion that any maintenance, overhaul, repair, replacement, modification or inspection is undertaken on the engine or propeller as the case may be.

(5) Entries in the log book may refer to other documents which shall be clearly identified, and any other documents so referred to shall be deemed, for the purposes of these regulations to be part of the log book.

(6) It shall be the duty of the operator of every

Aircraft in respect of which log books are required to be kept to keep the log books or cause them to be kept in accordance with these regulations.

(7) Subject to this regulation, every log book shall be preserved by the operator of the aircraft until a date 2 years after the aircraft, the engine or the variable pitch propeller as the case may be, has been destroyed or has been permanently withdrawn from use.

42. (1) A person who performs maintenance on an aircraft or aircraft component shall, when the work is performed satisfactorily, make an entry in the maintenance record of that equipment as follows—

- (a) a description or reference to data acceptable to the Authority of work performed;
- (b) completion date of the work performed; and
- (c) name, signature and licence number of the person approving the work.

(2) The signature required by sub-regulation (1) (c) shall constitute the approval for return to service only for the work performed.

(3) A person working under the supervision of a LAME shall not perform any inspection required in these Regulations, or any inspection performed after a major repair or modification.

(4) A person performing the work referred to in sub regulation (1) shall enter records of major repairs and major modifications, on a prescribed form set out in the Fourth Schedule.

(5) A person performing a major repair or major modification shall—

- (a) execute the appropriate form prescribed by the Authority at least in duplicate;
- (b) give a signed copy of that form to the aircraft owner or operator; and
- (c) forward a copy of that form to the Authority, in accordance with Authority instructions, within forty eight hours after the aircraft or aircraft component is approved for return to service.

(6) AMO which performs a major repair or modification shall—

- (a) use the aircraft owner or operator 's work order upon which the repair is recorded;
- (b) give the aircraft owner or operator's a signed copy of the work order and retain a duplicate copy for at least one year from the date of approval for return to service of the aircraft or aircraft component;
- (c) give the aircraft owner or operator a certificate of release to service signed by an authorised representative of the AMO and incorporating the following information—
 - (i) identity of the aircraft or aircraft component;
 - (ii) the make, model, serial number, nationality and registration marks, and location of the repaired area of an aircraft;

- (iii) the manufacturer's name, name of the part, model, and serial numbers if any of an aircraft component; and
- (iv) signature of the authorised representative, the name and address of the AMO and AMO certificate number.

43. (1) A person shall not record in any required maintenance entry or form, an aircraft or aircraft component as being overhauled unless the aircraft or aircraft component has been —

Records of overhaul and rebuilding.

- (a) disassembled, cleaned, inspected as permitted, repaired as necessary, and reassembled using methods, techniques, and practices acceptable to the Authority; and
- (b) tested 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 holder of the type certificate, supplemental type certificate, or a material, part, process, or appliance manufacturing approval.

(2) A person shall not record in any required maintenance entry or form an aircraft or aircraft component as being rebuilt unless the aircraft or aircraft component has been disassembled, cleaned, inspected as permitted, repaired as necessary, reassembled and tested to the same tolerances and limits as a new item, using either new parts or used parts that conform to new part tolerances and limits.

44. A person shall not approve for return to service any aircraft or aircraft component that has undergone maintenance, preventive maintenance, rebuilding, or modification unless —

Approval for return to service.

- (a) the appropriate maintenance record entry has been made in accordance with these Regulations;
- (b) the major repair or major modification form specified in the Third Schedule of these Regulations has been executed in the manner prescribed by the Authority;
- (c) if a major repair or major modification results in any change in the aircraft operating limitations or flight data contained in the approved aircraft flight manual, those operating limitations or flight data are appropriately revised and set out as prescribed.

45. (1) A person approving the return to service of an aircraft or aircraft component after any inspection performed in accordance with the Civil Aviation (Operation of Aircraft) Regulations, 2018, shall make an entry in the maintenance record of that equipment containing the following information —

Content, form, and disposition of records for inspections.

- (a) type of inspection and a brief description of the extent of the inspection;
- (b) date of inspection;

- (c) aircraft total time and cycles in service;
- (d) signature, the license number held by the person approving return to service the aircraft or aircraft component;
- (e) if the aircraft is found to be airworthy and approved for return to service, the person shall include a statement certifying that the aircraft has been inspected in accordance with the type of work and was determined to be in an airworthy condition;
- (f) if the aircraft is not approved for return to service because the aircraft needs maintenance, non-compliance with the applicable specifications, airworthiness directives, or other approved data, a statement that the aircraft has been inspected in accordance with inspection and a dated list of discrepancies and unairworthy items have been provided to the aircraft owner or operator; and
- (g) if an inspection is conducted under an inspection programme provided for in the Civil Aviation (Operation of Aircraft) Regulations, 2018, the person performing the inspection shall make an entry identifying the inspection program accomplished, and containing a statement that the inspection was performed in accordance with the type of inspections and procedures for that particular programme.

(2) A person performing any inspection required in the Civil Aviation (Operation of Aircraft) Regulations, 2018, who finds that the aircraft is not airworthy or does not meet the applicable type certificate data sheet, airworthiness directives or other approved data upon which the aircraft's airworthiness depends, shall give the owner or operator a signed and dated list of those discrepancies.

46 (1) Where an aircraft registered in Kenya or in another Contracting State has sustained damage, the Authority shall judge whether the damage is of a nature that affects the airworthiness of the aircraft and prohibit the aircraft from resuming flight, until it is restored to an airworthy condition.

Damage to
aircraft.

(2) Where the aircraft is from another Contracting State, the Authority shall notify the State of Registry of that aircraft immediately.

(3) Notwithstanding sub-regulation (1), the Authority may, in exceptional circumstances, prescribe particular limiting conditions to permit the aircraft to fly a non-commercial air transport operation to an aerodrome at which it will be restored to an airworthy condition.

PART VIII-GENERAL PROVISIONS

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

Possession of the
license,
certificate or
authorisation.

(2) A crew member of a foreign registered aircraft shall hold a valid license, certificate or authorisation and have in his or her physical

possession or at the work site when exercising the privileges of that license, certificate or authorisation.

48. A person who holds a license, 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.

Inspection of licenses, certificates and authorisation.

49. (1) A holder of a certificate, or any other such document 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—

Change of Address.

- (a) physical address, at least fourteen days before the change; 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.

50. A person may apply to the Authority for replacement of documents issued under these Regulations if such documents are lost or destroyed.

Replacement of documents.

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

Suspension and revocations of certificates.

(2) The Authority may, upon the completion of an investigation which has shown sufficient ground to the Authority's satisfaction and where it considers it to be in the public interest, revoke, suspend, or vary any certificate or any 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 or any such other documents which have been revoked, suspended or varied under these Regulations shall surrender the certificate, licence or such other documents 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 or any such other document has been granted or issued under these Regulations shall render the document invalid during the continuance of the breach.

52. (1) A person shall not—

- (a) use any certificate, or such other document issued or required under these Regulations which has been forged, altered, revoked, or suspended, or to which that person is not entitled;
- (b) forge or alter any certificate or any such other document issued or required by or under these Regulations;

Use and retention of certificates and records.

- (c) lend any certificate or any such other document issued or required under these Regulations to any other person; or
- (d) make any false representation for the purpose of procuring for himself or herself or any other person the issue, renewal or variation of the certificate or any such other document.

(2) 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 willfully 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 shall not purport to issue any certificate or any such other document for the purpose of these Regulations unless he is authorised to do so under these Regulations.

(5) A person shall not issue any certificate of the kind referred to in sub-regulation unless he has satisfied himself that all statements in the certificate are correct, and that the applicant is qualified to hold that certificate.

53. (1) A person who knows of a violation of the Civil Aviation Act, 2013 or any rule, regulation or order made there-under, shall report it to the Authority.

Reports of violation.

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

54. A person who fails to comply with any direction given to him or her 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.

Enforcement of directions.

55. (1) The Authority shall 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.

Aeronautical user fees.

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

(3) If payment of a fee 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.

56. (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

Application of Regulations to Government and

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.

visiting forces,
etc.

(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 Kenya.

57. Except where the context otherwise requires, the provisions of these Regulations shall—

Extra-territorial
application of
the regulations.

(a) in so far as they apply, whether by express reference or otherwise, to aircraft registered in Kenya, 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 Kenya; and

(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 Kenya, shall apply to such persons and crew, wherever they may be.

PART IX—MISCELLANEOUS PROVISIONS

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

Contravention of
Regulations.

59. A person aggrieved with a decision of the Authority under these regulations may within twenty-one days appeal to the Tribunal.

Appeals to the
Tribunal.

60. (1) If any provision of these Regulations is contravened in relation to an aircraft, the operator of that aircraft and the pilot-in-command, if the operator or, the pilot in command is not the person who contravened that provision 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.

Offences and
penalties.

(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 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 or 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 Fifth 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 Kenya shillings one (1) million for provisions referred to in sub-part (i) and sub-part (ii) respectively in Part A of the Fifth Schedule to these Regulations.

(9) If any person contravenes any provision specified

In Part B of the Fifth Schedule to these Regulations, upon conviction is liable to a fine not less than the equivalent in Kenya Shillings one (1) million or to imprisonment for a term of twelve months or to both.

(10) A person who contravenes any provision specified as an "A" provision in the Fifth 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.

(11) A person who contravenes any provision specified as a "B" provision in the Fifth 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.

(12) A person who contravenes any provision of these Regulations not being a provision referred to in the Fifth 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.

61. (1) A license, certificate, approval or any other document issued to an operator prior to the commencement of these Regulations shall continue in force as if it was issued under these Regulations until it expires or is cancelled by the Authority.

Transition.

(2) Notwithstanding any other provision of these Regulations, a person who at the commencement of these Regulations, is carrying out any acts, duties or operations affected by these Regulations shall, within one (1) year from the date of commencement, or within such longer time that the Cabinet Secretary may, by notice in the Gazette prescribe, comply with the requirements of these Regulations or cease to carry out such acts, duties or operations.

62. The Civil Aviation (Airworthiness) Regulations, 2013 are revoked.

Revocation of
L.N. 83/2013.

FIRST SCHEDULE
(Regulation 8(2))

*	<i>State of Registry</i> <i>Issuing Authority</i>	*
CERTIFICATE OF AIRWORTHINESS		
1. Nationality and registration number manufacturer's designation of aircraft**	2. Manufacturer and marks 3. Aircraft serial number	
4. Categories and/or operation***		
5. This Certificate of Airworthiness is issued pursuant to the Convention on International Civil Aviation dated 7 December 1944 and †..... in respect of the above-mentioned aircraft which is considered to be airworthy when maintained and operated in accordance with the foregoing and the pertinent operating limitations. Date of issue..... Signature † Insert reference to appropriate Airworthiness Code.		
6 ****		

* For use of the State of Registry.

** Manufacturer's designation of aircraft should contain the aircraft type and model.

*** This space is normally used to indicate the certification basis, i.e. certification code, with which the particular aircraft complies and/or its permitted operational category, e.g. commercial air transportation, aerial work or private.

**** This space shall be used either for periodic endorsement (giving date of expiry) or for a statement that the aircraft is being maintained under a system of continuous inspection.

SECOND SCHEDULE

(Regulation 38(1), (2) and (3))

AIRCRAFT NOISE CERTIFICATION CLASSIFICATIONS

PART A

1. Subsonic jet aeroplanes
 - (a) Subsonic jet aeroplanes — Application for Type Certificate submitted before 6 October 1977.
 - (b) Subsonic jet aeroplanes — Application for Type Certificate submitted on or after 6 October 1977 and before 1 January 2006.
 - (c) Subsonic jet aeroplanes and propeller-driven aeroplanes with maximum certificated take-off mass 55 000 kg and over — Application for Type Certificate submitted on or after 1 January 2006 and before 31 December 2017.
 - (d) Subsonic jet aeroplanes with maximum certificated take-off mass less than 55 000 kg — Application for Type Certificate submitted on or after 1 January 2006 and before 31 December 2020.
 - (e) Subsonic jet aeroplanes with maximum certificated take-off mass 55 000 kg and over — Application for Type Certificate submitted on or after 31 December 2017.
 - (f) Subsonic jet aeroplanes with maximum certificated take-off mass less than 55 000 kg — Application for Type Certificate submitted on or after 31 December 2020.
2. Propeller-driven STOL aeroplanes
3. Helicopters
 - (a) Helicopters- Application for the Type Certificate was submitted on or after 1 January 1985
 - (b) Helicopters- Application for the Type Certificate submitted on or after 17 November 1988,
 - (c) Helicopters- Application for the Type Certificate submitted on or after 21 March 2002
4. Installed auxiliary power units (APU) and associated aircraft systems during ground operations
 - (a) Application for a Type Certificate was submitted on or after 6 October 1977.
5. Propeller-driven aeroplanes
 - (a) Propeller-driven aeroplanes over 8 618 kg — Application for Type Certificate submitted before 1 January 1985;
 - (b) Propeller-driven aeroplanes not exceeding 8 618 kg — Application for Type Certificate submitted before 17 November 1988;
 - (c) Propeller-driven aeroplanes not exceeding 8 618 kg — Application for Type Certificate or certification of Derived Version submitted on or after 17 November 1988;
 - (d) Propeller-driven aeroplanes over 8 618 kg — Application for Type

- Certificate submitted on or after 1 January 1985 and before 1 January 2006;
- (e) Propeller-driven aeroplanes with maximum certificated take-off mass over 8 618 kg and less than 55 000 kg — Application for Type Certificate submitted on or after 1 January 2006 and before 31 December 2020;
 - (f) Propeller-driven aeroplanes with maximum certificated take-off mass 55 000 kg and over — Application for Type Certificate submitted on or after 31 December 2017;
 - (g) Propeller-driven aeroplanes with maximum certificated take-off mass over 8 618 kg and less than 55 000 kg — Application for Type Certificate submitted on or after 31 December 2020.
6. Helicopters not exceeding 3 175 kg maximum certificated take-off mass
- (a) Helicopters -Type Certificate was submitted on or after 11 November 1993;
 - (b) Helicopters -Type Certificate submitted on or after 21 March 2002.
7. Supersonic aeroplanes
- (a) Supersonic aeroplanes — Application for Type Certificate submitted before 1 January 1975;
 - (b) Supersonic aeroplanes — application for Type Certificate submitted on or after 1 January 1975.
8. Tilt-rotors.-Application for a Type Certificate submitted on or after 1 January 2018.

PART B

Information to be included in the document attesting noise certification

- (1) The following information shall be included on the document attesting noise certification of an aircraft—
1. Name of State
 2. Title of the noise document
 3. Number of the document
 4. Nationality or common mark and registration marks
 5. Manufacturer and manufacturer's designation of aircraft
 6. Aircraft serial number
 7. Engine manufacturer, type and model
 8. Propeller type and model for propeller-driven aeroplanes
 9. Maximum take-off mass and unit
 10. Maximum landing mass and unit for certificates issued
 11. The chapter and section of the Regulations according to which the aircraft is certificated
 12. Additional modifications incorporated for the purpose of compliance with the applicable noise certification Standards
 13. The lateral/full-power noise level in the corresponding unit for documents issued
 14. The approach noise level in the corresponding unit for documents

issued

15. The flyover noise level in the corresponding unit for documents issued
16. The overflight noise level in the corresponding unit for documents
17. The take-off noise level in the corresponding unit for documents issued
18. Statement of compliance
19. Date of issuance of the noise certification document
20. Signature of the officer issuing it.

The information stated under subparagraphs (a) – (h) shall also be included in the aircraft flight manual. Concerning 1(h) a note shall be added stating the thrust/power cut back height relates to the noise certification demonstration procedure and is not intended for use in normal operations.

Noise certificate

For use by State of Registry	1. <State of Registry>		Document number:	
		3.		
2. NOISE CERTIFICATE				
4. Nationality and registration marks:	5. Manufacturer and manufacturer's designation of aircraft:		6. Aircraft serial number:	
7. Engine:	8. Propeller:*			
9. Maximum take-off mass: kg	10. Maximum landing mass:*	11. Noise certification Standard:		
	kg			
12. Additional modifications incorporated for the purpose of compliance with the applicable noise certification Standards:				
13. Lateral/full-power noise level:*	14. Approach noise level:*	15. Flyover noise level:*	16. Overflight noise level:*	17. Take-off noise level:*
Remarks:				
18. This noise certificate is issued pursuant to Volume I of Annex 16 to the Convention on International Civil Aviation, in respect of the above-mentioned aircraft, which is considered to comply with the indicated noise Standard when maintained and operated in accordance with the relevant requirements and operating limitations. 19. Date of issue				
20. Signature				

* These boxes may be omitted depending on the noise certification Standard.

THIRD SCHEDULE

(Regulation 41(1), (2), (3) and (4))

AIRCRAFT, ENGINE AND PROPELLER LOG BOOKS

Aircraft log book—

(1) The following entries shall be included in the aircraft log book—

- (a) the name of the constructor, the type of the aircraft, the number assigned to it by the constructor and the date of construction of the aircraft;
- (b) the nationality and registration marks of the aircraft;
- (c) the name and address of the operator of the aircraft;
- (d) the date of each flight and the duration of the period between take-off and landing, or, if more than one flight was made on that day, the number of flights and the total duration of the periods between take-off and landings on that day;
- (e) particulars of all maintenance work carried out on the aircraft or its equipment;
- (f) particulars of any defects occurring in the aircraft or in any equipment required to be carried in it by or under these Regulations, and of the action taken to rectify such defects including a reference to the relevant entries in the technical log required by Regulations 10(2) and (3) of these Regulations.
- (g) particulars of any overhauls, repairs, replacements and modifications relating to the aircraft or any such equipment as aforesaid.

Provided that entries shall not be required to be made under subparagraphs (e), (f) and (g) in respect of any engine or variable pitch propeller.

(2) The following entries shall be included in the engine log book—

- (a) the name of the constructor, type of engine, the number assigned to it by the constructor and the date of the construction of the engine;
- (b) the nationality and registration marks of each aircraft in which the engine is fitted;
- (c) the name and address of the operator of each such aircraft-
- (d) either—
 - (i) the date of each flight and the duration of the period between take off and landing or, if more than one flight was made on that day, the number of flights and the total duration of the periods between take-off and landings on that day; or
 - (ii) the aggregate duration of periods between take-off and landing for all flights made by that aircraft since, the immediately preceding occasion that any maintenance, overhaul, repair, replacement, modification or inspection was undertaken on the engine.
- (e) Particulars of all maintenance work done on the engine;
- (f) Particulars of any defects occurring in the engine, and of the rectification of such defects, including reference to the relevant entries in the technical log required by regulation 10(2) and (3) of these Regulations;
- (g) Particulars of all overhauls, repairs, replacement and modifications relating to

the engine or any of its accessories.

(3). The following entries shall be included in the variable pitch propeller log book—

- (a) the name of the constructor, the type of the propeller, the number assigned to it by the constructor and the date of the construction of the propeller;
- (b) the nationality and registration marks of each aircraft, and the type and number of each engine, to which the propeller is fitted;
- (c) the name and address of the operator of each such aircraft;
- (d) either—
 - (i) the date of each flight and the duration of the period between take-off and landing or, if more than one flight was made on that day, the number of flights and the total duration of the periods between take-off and landings on that day; or
 - (ii) the aggregated duration of periods between take-off and landing for all flights made by that aircraft since the immediately preceding occasion that any maintenance, overhaul, repair, replacement, modification or inspection was undertaken on the propeller;
- (e) particulars of all maintenance work done on the propeller;
- (f) particulars of any defects occurring in the propeller, and of the rectification of such defects, including a reference to the relevant entries in the technical log required by regulation 10(2) and (3) of these Regulations;
- (g) particulars of any overhauls, repairs, replacements and modifications relating to the propeller.

FOURTH SCHEDULE

(Regulation 42(4))

MAJOR REPAIRS AND MODIFICATION FORM

7. Approval for Return to Service				
Pursuant to the authority given persons specified below, the unit(s) identified in item 4 was inspected in the manner prescribed by the Kenya Civil Aviation Authority and is				
APPROVED <input type="checkbox"/> REJECTED <input type="checkbox"/>				
B Y	KCAA Inspector	Inspection Authorisation		Other (Specify)
	Maintenance Organisation	Other		
Date of Approval or Rejection		Certificate or Designation Number		Signature of Authorised Individual

MAJOR REPAIR AND MODIFICATION (Airframe, Engine, Propeller or Appliance)					[State] For KCAA Use Only Office Identifica tion	
INSTRUCTIONS: Print or type all entries. See the Civil Aviation (Airworthiness) Regulation 42 for instructions and disposition of this form.						
1. Aircraft	Make			Model		
	Serial Number			Nationality and Registration Mark		
2. Owner	Name (As shown on registration certificate)			Address (As shown on registration certificate)		
3. For Authority Use Only						
4. Unit Identification						
Unit		Make	Model	Serial Number	5. Type	
					Repair	Modifica tion
Airframe						
Engine						
Propeller						
Appliance		Type				
		Manufacture				
6. Conformity Statement						
A. Organisation Name and Address			B. Kind of License/Organisation		C. Certificate/License Number	
			<input type="checkbox"/> Licensed (LAME) <input type="checkbox"/> A <input type="checkbox"/> C or <input type="checkbox"/> A/C		(For an ANFO include the appropriate ratings issued for the major repair or modification)	
			<input type="checkbox"/> Approved Maintenance Organisation			
			<input type="checkbox"/> Manufacturer			
D. I certify that the repair and/or modification made to the unit(s) identified in item 4 above and described on the reverse or attachments hereto have been made in accordance with the requirements of the Civil Aviation (Airworthiness) Regulations and that the information furnished herein is true and correct to the best of my knowledge.						

FIFTH SCHEDULE

(Regulation 60(8), (9), (10) and (11))

PENALTIES

REG. NO.	TITLE	PART
6	Issue of supplemental type certificate	A
8	Certificate of airworthiness to be in force.	A
15	Airworthiness directives and service bulletins.	A
19	Conditions on the special flight permit.	B
20(1)	Certificate of fitness for flight.	A
21	Responsibility for maintenance.	B
22	Continued airworthiness information	A
24	Compliance with the manufacturer's instructions and airworthiness directives.	A
25	Reporting of failures, malfunctions, and defects.	A
26	Persons authorised to perform maintenance, preventive maintenance and modification.	B
27	Personnel authorised to approve for return to service.	B

28	Persons authorised to perform inspections.	B
30	Performance rules: maintenance.	A
31	Performance rules: inspection.	A
32	Airworthiness limitation performance rules.	A
33	Aircraft mass schedule	B
34	Requirements of noise certification	A
36	Keeping of maintenance release records.	A
37	Technical Log entries.	A
38	Aircraft ,engine and propeller log books	A
39	Maintenance, rebuilding, and modification records.	A
40	Description of overhaul and rebuilding records.	A
41	Approval for return to service.	A
48	Use and retention of certificates and records.	B
50	Enforcement of directions	A

Dated the 26th March, 2017.

JAMES MACHARIA,
*Cabinet Secretary for Transport, Infrastructure,
Housing and Urban Development.*