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THE CIVIL AVIATION ACT

(Cap. 394)

THE CIVIL AVIATION (AIR OPERATOR CERTIFICATION AND  
ADMINISTRATION) REGULATIONS, 2025

ARRANGEMENT OF REGULATIONS

PART 1 - PRELIMINARY

*Regulation*

- 1—Citation
- 2—Interpretation
- 3— Application.

PARTII- AIR OPERATOR CERTIFICATE (AOC)

- 4— Compliance with an Air Operator Certificate.
- 5— Application for an Air Operator Certificate.
- 6— Issuance of Air Operator Certificate.
- 7— The Air Operator Certificate.
- 8— Validity and renewal of an Air Operator Certificate.
- 9— Amendment of an Air Operator Certificate.
- 10— Access for inspection.
- 11— Conducting tests and inspections.

PART III – AIR OPERATOR CERTIFICATION AND CONTINUED  
VALIDITY

- 12— Base of operations.
- 13— Management personnel..
- 14— Qualification of personnel.
- 15— Company procedures indoctrination.
- 16— Quality system.
- 17— Submission and revision of policy and procedure manuals.
- 18— Retention and maintenance of personnel and other records.
- 17— Inspection of personnel and other records.
- 18— Retention and maintenance of personnel and other records.

19— Inspection of personnel and other records.

20— Flight recorders records.

21— Aircraft record

22— Authorised aircraft.

23— Dry leasing

24— Interchange Agreement.

25— Wet-leasing of aircraft.

26— Emergency evacuation demonstration.

27— Demonstration flights.

28— Facilities.

29— Operations schedule.

#### PART IV— AOC FLIGHT OPERATIONS MANAGEMENT

30— Operations manual.

31— Training manual.

32— Aircraft operating manual.

33— Designation of PIC.

34— Required cabin crew members.

35— Assignment of Emergency Duties.

36— Cabin crew at Emergency evacuation stations

37— Carriage of special situation passengers.

38— Cockpit check procedure.

39— Minimum equipment list and configuration deviation list.

40— Performance planning manual.

41— Performance data control system.

42— Aircraft loading and handling manual.

43— Mass and balance control manual.

44— Cabin crew member manual.

45— Passenger briefing cards.

46— Aeronautical data control system.

47— Route guide and aeronautical charts.

48— Weather reporting sources.

49— De-icing and anti-icing program

50— Flight supervision and monitoring system.

51— Flight following system for charter flights operations.



52— Communications facilities.

53— Routes and areas of operation.

54— En-route navigational facilities.

55— Flight safety documents systems.

56— Safety Program and Management Systems.

#### PART V— AOC MAINTENANCE REQUIREMENTS

57— Quality system: Maintenance.

58— Technical logbook.

59— Technical logbook entries.

#### PART VI— AOC SECURITY MANAGEMENT

60— Security requirements.

#### PART VII— DANGEROUS GOODS MANAGEMENT

61— Dangerous goods.

#### PART VIII— EXEMPTIONS

62— Requirements for Application.

63— Substance of the request for exemption.

64— Initial review by the Authority.

65— Evaluation of the request.

#### PART IX— GENERAL PROVISIONS

66— Possession of the licence.

67— Operating under the influence of alcohol or drugs in aircraft or while on duty.

68— Drug and alcohol testing and reporting.

69— Inspection of licences and certificates.

70— Change of Name.

71— Change of Address.

72— Replacement of documents.

73— Certificate Suspension and Revocations.

74— Use and retention of documents and records.

75— Reports of violation.

76— Enforcement of directions.

77— Aeronautical user fees.

78— Application of regulations to Government and visiting forces.

79— Extra-territorial application of Regulations.

|                    |                |
|--------------------|----------------|
| PAPERS LAID        |                |
| DATE               | 18/3/2026      |
| TABLED BY          | Dep. Maj. Whip |
| COMMITTEE          |                |
| CLERK AT THE TABLE | Poly carp      |

80— Advertising.

PART X— OFFENCES AND PENALTIES

81— Contravention of Regulations.

82— Penalties.

PART XI— SAVING AND TRANSITIONAL PROVISIONS

83— Revocation of L.N No. 92/ 2018.

84— Saving and Transitional Provision.

SCHEDULES

|                |                                   |
|----------------|-----------------------------------|
| FIRST SCHEDULE | AIR OPERATOR CERTIFICATE<br>(AOC) |
|----------------|-----------------------------------|

|                 |                           |
|-----------------|---------------------------|
| SECOND SCHEDULE | OPERATIONS SPECIFICATIONS |
|-----------------|---------------------------|

|                |                   |
|----------------|-------------------|
| THIRD SCHEDULE | OPERATIONS MANUAL |
|----------------|-------------------|

|                 |                             |
|-----------------|-----------------------------|
| FOURTH SCHEDULE | CABIN CREW MEMBER<br>MANUAL |
|-----------------|-----------------------------|

|                |                                   |
|----------------|-----------------------------------|
| FIFTH SCHEDULE | FLIGHT SAFETY DOCUMENTS<br>SYSTEM |
|----------------|-----------------------------------|

|                |           |
|----------------|-----------|
| SIXTH SCHEDULE | PENALTIES |
|----------------|-----------|

## THE CIVIL AVIATION ACT

(Cap. 394)

IN EXERCISE of powers conferred by section 82 of the Civil Aviation Act, the Cabinet Secretary for Roads and Transport, makes the following Regulations —

## THE CIVIL AVIATION (AIR OPERATOR CERTIFICATION AND ADMINISTRATION) REGULATIONS, 2025

## PART I – PRELIMINARY

1. These Regulations may be cited as the Civil Aviation (Air Operator Certification and Administration) Regulations, 2025. Citation.

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

“accountable manager” means the manager who has corporate authority for ensuring that all operations and maintenance activities required by the Air Operator Certificate (AOC) holder can be financed and carried out to the highest degree of safety standards required by the Authority;

“Act” means the Civil Aviation Act;

Cap 394

“aerial work” means an aircraft operation in which an aircraft is used for specialised services including, but not limited to, agriculture, construction, photography, surveying, observation and patrol, search and rescue, and aerial advertisement;

“aircraft” means any machine that can derive support in the atmosphere from the reactions of the air, other than the reactions of the air against the earth’s surface;

“aircraft component” means any assembly, item component, part of an aircraft up to and including a complete engine or any operational or emergency equipment;

“aircraft interchange or interchange flight” means a regularly scheduled, single-plane through service linking a route of one air operator at the interchange point to a route of a second air operator, with the same aircraft being crewed by and under the operational control of the respective authorized operator on each route. An interchange provides passengers with the benefit of a single-plane service on what is essentially an interline operation and may provide additional benefits to the operators involved in terms of better aircraft utilization;

“aircraft operating manual” means a manual, acceptable to the State of the Operator, containing normal, abnormal and emergency procedures, checklists, limitations, performance information, details of the aircraft systems and other material relevant to the operation of the aircraft;

Note: the aircraft operating manual is part of the operations manual.

“aircraft tracking” means a process, established by the operator, that maintains and updates, at standardized intervals, a ground-based record of the four dimensional position of individual aircraft in flight;

“aircraft technical log” means a document carried on board an aircraft for recording defects and malfunctions discovered during operation and for recording details of all maintenance carried out whilst the aircraft is operating between scheduled visits to the base maintenance facility. It also contains operating information relevant to flight safety and maintenance data that the operating crew needs to know;

“aircraft type” means all aircraft of the same basic design;

“airframe” means the fuselage, booms, nacelles, cowlings, fairings, airfoil surfaces, including rotors but excluding propellers and rotating airfoils of a powerplant, and landing gear of an aircraft and their accessories and controls;

“air operator certificate (AOC)” means a certificate authorizing an operator to carry out specified commercial air transport operations;

“air traffic control (ATC)” means a service that promotes the safe, orderly, and expeditious flow of air traffic at aerodromes and during the approach, departure, and en route environments;

“air traffic control (ATC) facility” means a building holding the persons and equipment responsible for providing ATC services;

“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;

“appliance” means any instrument, mechanism, equipment, part, apparatus, appurtenance, or accessory, including communications equipment, that is used or intended to be used in operating or controlling an aircraft in flight, is installed in or attached to the aircraft, and is not part of an airframe, powerplant, or propeller;

“approved maintenance organisation (AMO)” means an organisation approved to perform specific aircraft maintenance activities by the Authority. These activities may include the inspection, overhaul, maintenance, repair or modification and release to service of aircraft or aircraft components;

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

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

“approved training organisation (ATO)” means an organisation established to conduct aviation training courses as approved by the Authority;

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

“Authority” means the Kenya Civil Aviation Authority established under the Act;

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

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

“cabin crew member” means a crew member who performs in the interest of safety of passengers, duties assigned by the operator or the pilot-in-command of the aircraft, but who shall not act as a flight crew member;

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

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

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

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

“convention” means the Convention on International Civil Aviation concluded at Chicago on the 7th December, 1944;

“commercial air transport operation” means an aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire;

“configuration deviation list (CDL)” means a list established by the organisation responsible for the type design with the approval of the State of Design which identifies any external parts of an aircraft type which may be missing at the commencement of a flight, and which contains, where necessary, any information on associated operating limitation and performance correction;

“contracting states” means all States that are signatories to the convention;

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

“damp lease” means an arrangement where the aircraft is leased with partial crew.

“dangerous goods” means articles or substances which are capable of posing a hazard to health, safety, property or the environment and which are shown in the list of dangerous goods in the ICAO Technical Instructions or which are classified according to those Instructions;

“decision altitude (DA) or decision height (DH)” means a specified altitude or height in the precision approach or approach with vertical guidance at which a missed approach must be initiated if the required visual reference to continue the approach has not been established;

“dry lease” means an arrangement where the aircraft is leased without crew

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

“fatigue” means physiological state of reduced mental or physical performance capability resulting from sleep loss, extended wakefulness, circadian phase, or workload (mental or physical activity) that can impair a person’s alertness and ability to perform safety-related operational duties;

“fatigue risk management system (FRMS)” means a data-driven means of continuously monitoring and managing fatigue-related safety risks, based upon scientific principles and knowledge as well as operational experience that aims to ensure relevant personnel are performing at adequate levels of alertness;

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

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

“flight manual” means a manual, associated with the certificate of airworthiness, containing limitations within which the aircraft is to be considered airworthy, and instruction and information necessary to the flight crewmembers for the safe operation of the aircraft;

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

“flight time” means—

- (a) for aeroplanes and gliders the total time from the moment an aeroplane or a glider moves for the purpose of taking off



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

- (b) for helicopter the total time from the moment a helicopter rotor blades start turning until the moment a helicopter comes to rest at the end of the flight and the rotor blades are stopped; and
- (c) for airships or free balloon the total time from the moment an airship or free balloon first becomes detached from the surface until the moment when it next becomes attached thereto or comes to rest thereon;

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

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

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

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

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

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

“human factors principles” means principles which apply to aeronautical design, certification, training, operations and maintenance and which seek safe interface between the human and other system components by proper consideration to human performance;

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

“ICAO” means the International Civil Aviation Organisation;

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

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

“instrument meteorological conditions (IMC)” means Meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling, less than the minima specified for visual meteorological conditions;

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

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

“lease” means contractual arrangement whereby a properly licensed air operator gains commercial control of an entire aircraft without transfer of ownership;

“lessee” means the party to which the aircraft is leased;

“lessor” means the party from which the aircraft is leased;

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

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

“maintenance control manual” means a manual containing procedures, instructions and guidance for use by maintenance and concerned operational personnel in the execution of their duties;

“maintenance procedures manual” means a document endorsed by the head of the maintenance organization which details the maintenance organization’s structure and management responsibilities, scope of work, description of facilities, maintenance procedures and quality assurance or inspection systems;

“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;

“maintenance release” means a document which contains a Certification confirming that the maintenance work to which it relates has been completed in a satisfactory manner, either in accordance with appropriate airworthiness requirements;

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



“major repair” means any repair of an aeronautical product that might appreciably affect the structural strength, performance, engine, operation flight characteristics, or other qualities affecting airworthiness or environmental characteristics;

“maximum mass” means maximum certificated take-off mass;

“minimum equipment list (MEL)” means a list approved by the Authority which provides for the operation of aircraft, subject to specified conditions, with particular equipment inoperative, prepared by an operator in conformity with, or more restrictive than, the master Minimum Equipment List established for the aircraft type by the aircraft manufacturer, and approved by the State of Design;

“minor modification” means any modification other than major modification;

“minor repair” means any repair other than major repair;

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

“night” means the time between fifteen minutes after sunset and fifteen minutes before sunrise, sunrise and sunset being determined at surface level, and includes any time between sunset and sunrise when an unlighted aircraft or other unlighted prominent object cannot clearly be seen at a distance of 4,572 metres;

“oceanic area for the purpose of aircraft tracking”, means the airspace which overlies waters outside the territory of a State;

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

“operational control” means the exercise of authority over the initiation, continuation, diversion or termination of a flight in the interest of the safety of the aircraft and the regularity and efficiency of the flight;

“operational flight plan” means the operator's plan for the safe conduct of the flight based on considerations of aircraft performance, other operating limitations, and relevant expected conditions on the route to be followed and at the aerodromes or heliports concerned;

“operator's maintenance control manual” means a document that describes the operator's procedures necessary to ensure that all scheduled and unscheduled maintenance is performed on the operator's aircraft on time and in a controlled and satisfactory manner;

“operations manual” means a manual containing procedures, instructions and guidance for use by operational personnel in the execution of their duties;

“operations specifications” means a document that contains terms, authorisations, conditions and limitations that facilitate the Authority's administration of the AOC by ensuring that the Authority and the certificate holder have a mutual and clear understanding of how the certificate holder will conduct its operations;

“overhaul” means the restoration of an aircraft or aircraft component using methods, techniques, and practices acceptable to the Authority, including disassembly, cleaning, and inspection as permitted, repair as necessary, and reassembly; and testing in accordance with approved standards and technical data, or in accordance with current standards and technical data acceptable to the Authority, which have been developed and documented by the State of Design, holder of the type certificate, supplemental type certificate, or a material, part, process, or appliance approval under parts manufacturing authorisation (PMA) or technical standard order (TSO);

“pilot in command (PIC)” means the pilot designated by the operator, or in the case of general aviation, the owner, as being in command and charged with the safe conduct of a flight;

“pre-flight inspection” means the inspection carried out before flight to insure that the aircraft is fit for the intended flight;

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

“repair” means the restoration of an aircraft or aircraft component to a serviceable condition in conformity with an approved standard;

“rest period” means a continuous and defined period of time, subsequent to or prior to duty, during which flight or cabin crew members are free of all duties;

“RVSM airspace” means any airspace or route between flight level 290 and flight level 410 inclusive where the aircraft are separated vertically by 1000ft (300m);

“safety programme” means an integrated set of regulations and activities aimed at improving safety;

“safety management system” means a systematic approach to managing safety, including the necessary organisation structures, accountabilities, policies and procedures;

“secondary standard” means a standard maintained by comparison with a primary standard;

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

“state of design” means the Contracting State which approved the original type certificate and any subsequent supplemental type certificates for an aircraft, or the State which approved the design of an aeronautical product or appliance;

“state of manufacture” means the State having jurisdiction over the organization responsible for the final assembly of the aircraft engine or propeller;

“state of registry” means the State on whose register the aircraft is entered;

“state of the operator” means the State in which the operator’s principal place of business is located, or, if there is no such place of business, the operator’s permanent residence;

“substance” means alcohol, sedatives, hypnotics, anxiolytics, hallucinogens, opioids, cannabis, inhalants, central nervous system stimulants such as cocaine, amphetamines, and similarly acting sympathomimetics, phencyclidine or similarly acting arylcyclohexylamines, and other psychoactive drugs and chemicals;

“substance abuse” refers to—

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

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

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

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

“wet lease” means an arrangement where the aircraft is leased with crew; and



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

3. (1) These Regulations apply to air operators carrying passengers, cargo or mail for remuneration or hire whose principal place of business or permanent residence is located in Kenya.

Application.

(2) Except where specifically noted, these Regulations applies to all commercial air transport operations by air operator certificate holders for which Kenya is the State of the Operator.

(3) These regulations prescribe requirements for the original certification and continued validity of AOC issued by the Authority.

#### PART II— AIR OPERATOR CERTIFICATE (AOC)

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

Compliance with an Air Operator Certificate.

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

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

(4) The Operator shall develop for use, policies and procedures to be used by contracted service providers.

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

Application for an Air Operator Certificate.

- (a) in the specified form, paying the prescribed fees; and
- (b) containing any other information the Authority requires the applicant to submit.

(2) Each applicant shall make the application for an initial issue of an AOC at least 90 days before the date of intended operation.

(3) At the time of application, the applicant shall provide all information and manuals required by the Authority.

6. (1) The Authority may issue an AOC to an applicant if that applicant—

Issuance of Air Operator Certificate.

- (a) has its principal place of business and it is registered in Kenya;

- (b) meets the applicable regulations and standards for the holder of an AOC;
- (c) is properly qualified and adequately staffed and equipped to conduct safe operations in commercial air transport and maintenance of the aircraft;
- (d) holds a valid air service license issued under the Civil Aviation (Licensing of Air Services) Regulations; and
- (e) has an approved aircraft operator security programme in accordance with the Civil Aviation (Security) Regulations, and meets any other requirements as specified by the Authority.

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

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

7. (1) An AOC shall consist of—

The Air Operator Certificate.

- (a) a certificate for public display issued by the Authority; and
- (b) operation specifications containing the terms and conditions applicable to the certificate.

(2) The certificate mentioned in (1)(a) shall contain—

- (a) the State of the Operator and the issuing authority;
- (b) the AOC number specifically assigned to the AOC and its expiration date;
- (c) the operator name, trading name (if different) and address of the principal place of business;
- (d) the date of issue and the name, signature and title of the authority representative;
- (e) the location, in a controlled document carried on board, where the contact details of operational management can be found; and
- (f) other special authorisations, approvals and limitations issued by the Authority in accordance with the standards which are applicable to the operations and maintenance conducted by the Operator.

(3) The AOC shall be in the format set out in the First Schedule to these Regulations.

(4) The continued validity of an air operator certificate shall depend upon the operator maintaining the requirements of regulation 4(3) under the supervision of the Authority.

(5) Operations specifications associated with the air operator certificate shall contain at least the information listed in Second Schedule and follow the layout of the Second Schedule to these regulations and shall provide—

- (a) for each aircraft model in the operator's fleet, identified by aircraft make, model and series;
- (b) list of authorizations, conditions and limitations shall be included;
- (c) issuing authority contact details, operator name and AOC Number;
- (d) date of issue and signature of the authority representative, aircraft model, types and area of operations; and
- (e) other special authorisations, approvals and limitations issued by the Authority in accordance with the standards which are applicable to the operations and maintenance conducted by the Operator.

(6) The Authority shall establish a system for the certification and continued surveillance of operators in accordance with these regulations and any other regulations made under the Civil Aviation Act to ensure that the required standards of operations established in the regulations are maintained.

8. (1) An AOC issued by the Authority shall be valid for twenty four months from the date of issue or renewal, unless a shorter period is specified by the Authority or—

Validity and  
renewal of an Air  
Operator  
Certificate.

- (a) the Authority amends, suspends, revokes or otherwise terminates the certificate;
- (b) an Operator surrenders it to the Authority;
- (c) the Operator has not conducted operations as specified by the Authority for a period exceeding 6 months .

(2) An AOC which is suspended or revoked shall be surrendered to the Authority within 14 days.

(3) An application for renewal of an AOC shall be made to the Authority in a specified format not later than sixty days before its expiry.

(4) An applicant who fails to comply with sub-regulation (3) shall be required to make an initial application as specified in regulation 5.



9. (1) The Authority may amend an AOC if—

Amendment of an  
Air Operator  
Certificate.

- (a) the amendment is necessary for safety in commercial air transport; or
- (b) the Operator applies for an amendment, and the Authority determines that the amendment is necessary for safety in commercial air transport; or
- (c) it is in the public interest.

(2) Where the Authority stipulates in writing that an emergency exists requiring the immediate amendment of the AOC in the public interest or with respect to safety in commercial air transportation, such an amendment is effective on the date the Operator receives notice of the amendment.

(3) An Operator shall operate in accordance with the amendment unless it is subsequently withdrawn.

(4) Amendments stipulated by the Authority, other than emergency amendments, shall become effective thirty days after notice is issued to the Operator.

(5) Amendments proposed by the Operator shall be made at least thirty days prior to the intended date of any operation under that amendment.

(6) A person shall not perform a commercial air transport operation under an AOC for which an amendment is required, unless that person has received notice of the approval of the amendment or operation from the Authority.

10. (1) An AOC holder shall for the purpose of inspection—

Access for  
inspection.

- (a) grant the Authority unrestricted access to any of its organisations, facilities and aircraft;
- (b) ensure that the Authority is granted unrestricted access to any organisation or facilities that it has contracted for services associated with commercial air transport operations and maintenance for services; and
- (c) grant the Authority unrestricted access to the cockpit of the aircraft during flight operations.

(2) An Operator shall allow the Authority to conduct tests and inspections, at any time or place, to determine whether the Operator is complying with the applicable laws, regulations and the terms and conditions of the AOC.

(3) An Operator shall make available at its principal base of operations the current—

- (a) AOC and its operation specifications;
- (b) Operations and Maintenance Manuals; and
- (c) a list that includes the location and individual positions responsible for each record, document and report required to

be kept by the Operator under the applicable Regulations or standards.

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

### PART III-AIR OPERATOR CERTIFICATION AND CONTINUED VALIDITY

12. (1) An Operator shall maintain a principal base of operations in Kenya. Base of operations.

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

13. (1) An Operator shall have an accountable manager, acceptable to the Authority, with authority to ensure that all operations and maintenance activities are financed and carried out to the highest safety standards required by the Authority. Management personnel.

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

- (a) head of operations;
- (b) chief pilot;
- (c) head of maintenance;
- (d) head of quality; and
- (e) head of safety.

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

(4) The Authority may approve positions, other than those listed, if the Operator is able to show that it can perform the operation safely under the direction of fewer or different categories of management personnel dependent on size and complexity considering—

- (a) kind of operations involved;
- (b) number of aircraft used; and
- (c) area of operation.

(5) An Operator shall—

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

- (b) list in the manual, the names and business addresses of the individuals assigned to those positions; and
  - (c) notify the Authority within ten days of any change in personnel or any vacancy in any position listed.
- (6) An Operator shall make arrangements to ensure continuity of supervision if operations are conducted in the absence of any required management personnel.
- (7) Required management personnel shall be contracted to work sufficient hours to ensure that the management functions of the Operator are fulfilled.
- (8) A person serving in a required management position for an Operator shall not serve any other Operator, unless an approval is issued by the Authority depending on the size and complexity of the organization.

14. (1) The accountable manager shall possess the following qualifications-

Qualification of personnel.

- (a) experience and expertise in commercial air transport operations;
  - (b) knowledge of these Regulations and other Regulations and materials published by the Authority that are applicable to flight operations and aircraft maintenance;
  - (c) knowledge of the operations and aircraft maintenance requirements of the Operator; and
  - (d) at least three years in the management of commercial air transport operations or successfully completed a management training recognized by the Authority.
- (2) The minimum qualifications for a Head of Operations are—
- (a) holds or has held an airline transport pilot licence or a commercial pilot license in lieu of the airline transport pilot licence if the PIC requirements for the largest aircraft in the AOC operations require only a commercial pilot licence;
  - (b) three years experience as pilot-in-command (PIC) in commercial air transport operations;
  - (c) at least three years in the management of commercial air transport operations or successfully completed a management training recognized by the Authority.
- (3) The minimum qualifications for a Chief Pilot are—
- (a) an airline transport pilot licence or a commercial pilot license in lieu of the airline transport pilot licence if the PIC requirements for the largest aircraft in the AOC operations require only a commercial pilot licence;
  - (b) dependent on the size and complexity of the AOC holder's operations;

- (c) three years' experience as PIC in commercial air transport operations; and
  - (d) at least three years in the management of commercial air transport operations or successfully completed a management training recognized by the Authority.
- (4) The minimum qualifications for a Head of Maintenance are—
- (a) possess Diploma or Degree in Aeronautical Engineering or equivalent as specified by the Authority;
  - (b) holds an aircraft maintenance engineer license or a qualified pilot with specific type maintenance training for free manned balloon;
  - (c) have at least five years' experience in maintaining aircraft, three years of which as a certifying staff for the aircraft group rating that the AOC uses or applied for; and
  - (d) have successfully completed a management or supervisory course
- (5) The minimum qualifications for Head of Quality are—
- (a) technical qualification in the field of aircraft maintenance, or flight or ground operations; such as a degree, diploma in aviation relevant field or holds or have held a license issued by the Authority;
  - (b) at least three years' experience in the field of aircraft maintenance, flight or ground operations;
  - (c) must have successfully completed a training in quality management recognized by the Authority;
  - (d) at least three years in the management of commercial air transport operations or successfully completed a management training recognized by the Authority.
- (6) The minimum qualifications for Head of Safety are—
- (a) technical qualification in the field of aircraft maintenance, flight or ground operations such as a degree, diploma in related field or holds or have held a license issued by the Authority;
  - (b) at least five years' experience in the field of aircraft maintenance or flight operations;
  - (c) must have successfully completed a training in safety management systems course recognized by the Authority;
  - (d) must have competencies to perform safety management responsibilities in analytical and problem-solving skills and a good understanding of human factors principles; and
  - (e) at least three years in the management of commercial air transport operations or successfully completed a management training recognized by the Authority.

(7) An Operator may approve the employment of a person who does not meet the appropriate qualification or experience if the Authority issues an exemption upon finding that that person has comparable experience and can effectively perform the required management functions.

15. (1) An Operator shall not employ a person unless the individual has completed the company's indoctrination curriculum appropriate to that person's duties and responsibilities as approved by the Authority.

Company  
procedures  
indoctrination.

(2) The Operator shall ensure that all personnel undergo company indoctrination training that covers the following areas—

- (a) Operators' organisation, scope of operation and maintenance, and administrative practices as applicable to their assignments and duties;
- (b) provisions of these Regulations and other applicable regulations and guidance materials;
- (c) operator policies and procedures; and
- (d) portions of the Operator's operations manual and maintenance control manual.

16. (1) An Operator shall establish a quality system and designate a Head of Quality to monitor compliance with, and adequacy of, procedures required to ensure safe operational practices and airworthy aircraft.

Quality system.

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

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

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

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

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

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

Submission and  
revision of policy  
and procedure  
manuals.

- (a) includes instructions and information necessary to allow the personnel concerned to perform their duties and responsibilities safely;



- (b) is in a form that is easy to revise and contains a system which allows personnel to determine the current revision status of each manual;
- (c) has a date of the last revision on each revised page;
- (d) is not contrary to any applicable Laws of Kenya and the Operator's operations specifications; and
- (e) includes a reference to the appropriate civil aviation regulations.

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

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

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

Retention and maintenance of personnel and other records.

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

(3) An Operator shall retain the following records for the period specified—

- (a) flight and duty records for two years;
- (b) flight crew records for two years;
- (c) other operator personnel for which a training program is required;
- (d) fuel and oil records for three months;
- (e) maintenance records of the aircraft for two years;
- (f) maintenance records of the aircraft for two years;
- (g) flight preparation forms listed below for six months—
  - (i) completed load manifests;
  - (ii) mass and balance records;
  - (iii) dispatch releases;
  - (iv) flight plans;
  - (v) passenger manifests; and
  - (vi) weather reports for six months.

- (h) aircraft technical logbook, including the following sections listed below, for two years—
    - (i) journey records section; and
    - (ii) maintenance records;
  - (i) flight recorder records preserved after an accident or incident for sixty days or longer as requested by the Authority;
  - (j) quality system records for five years;
  - (k) dangerous goods transport document for six months;
  - (l) dangerous goods acceptance checklist for six months;
  - (m) records on cosmic and solar radiation dosage until Twelve months after the crew member has left employment of the Operator; and
  - (n) other records as may be required by the Authority.
- (4) For the records identified in these sub-regulations the operator shall maintain—
- (a) current records which detail the qualifications and training of all its employees, and contract employees, involved in the operational control, flight operations, ground operations and maintenance of the air operator; and
  - (b) records for those employees performing crew member or flight operations officer duties in sufficient detail to determine whether the employee meets the experience and qualification for duties in commercial air transport operations.
- (5) Each Operator shall maintain records in a manner acceptable to the Authority.
19. (1) An Operator shall whenever called upon to do so by an authorized person—
- (a) produce for the inspection of that person all records referred to in regulation 18; and
  - (b) furnish to that person all information that person may require, in connection with the records and produce, for that person's inspection, all log-books, certificates, papers and other documents which that person may reasonably require to examine for the purpose of determining whether the records are complete or of verifying the accuracy of their contents.
- (2) The Operator shall, at the request of any person in respect of whom that person is required to keep records as specified above, furnish to that person, or to any operator of aircraft for the purpose of commercial air transport by whom that person may subsequently be employed particulars of any qualifications obtained by such person while in the service of the operator.

Inspection of  
personnel and  
other records.

20. An operator shall retain—
- Flight recorders records.
- (a) the most recent flight data recorder calibration, including the recording medium from which this calibration is derived;
  - (b) the flight data recorder correlation for one aircraft of any group of aircraft operated by the operator;
  - (c) that are of the same type;
  - (d) on which the model flight recorder and its installation are the same; and
  - (e) on which there is no difference in type design with respect to the original installation of instruments associated with the recorder.
- (2) The operator of the aircraft, or in the case where it is leased, the lessee, shall ensure, to the extent possible, in the event the aeroplane becomes involved in an accident or incident, the preservation of all related flight recorder records and, if necessary, the associated flight recorders, and their retention in safe custody pending their disposition within a period specified by the Authority.
21. (1) An operator shall maintain a current list of each aircraft it operates and shall send a copy of the list to the Authority, as well as each change to the list, prior to the intended change.
- Aircraft record.
- (2) An aircraft of another operator operated under an interchange agreement shall be incorporated in the current list of aircraft required by sub-regulation (1).
22. (1) An operator shall not operate an aircraft in commercial air transport unless that aircraft—
- Authorised aircraft.
- (a) has a current certificate of airworthiness;
  - (b) is in an airworthy condition; and
  - (c) meets the applicable airworthiness requirements for the operations the Operator intends to carry out, including those related to identification and equipment.
- (2) A person shall not operate any specific type of aircraft in commercial air transport until it has completed satisfactory initial certification, which includes the issuance of an AOC listing that type of aircraft.
- (3) A person shall not operate additional or replacement aircraft of a type for which it is currently authorised unless that person can show that the aircraft has been approved by the Authority for inclusion in the Operator's fleet.
23. (1) An operator may operate an aircraft on dry lease agreement approved by the Authority.
- Dry leasing
- (2) Where an applicant for an AOC, or an existing operator, wishes to use dry leased aircraft, the applicant or operator should provide the Authority with the following information:—

- (a) the aircraft type, model and serial number;
  - (b) the name and address of the registered owner;
  - (c) state of Registry, nationality and registration marks;
  - (d) certificate of airworthiness and statement from the registered owner that the aircraft fully complies with the airworthiness requirements of the State of Registry
  - (e) name, address and signature of lessee or person responsible for operational control of the aircraft under the lease agreement, including a statement that such individual and the parties to the lease agreement fully understand their respective responsibilities under the applicable regulations
  - (f) copy of the lease agreement or description of lease provisions;
  - (g) duration of the lease; and
  - (h) areas of operation.
- (3) In the dry lease agreement, the parties shall indicate the operator who has operational control.
- (4) Where the dry lease agreement involves operators approved by the Authority with Kenyan registered aircraft, the operator shall amend the operations manual for approval by the Authority.
- (5) Where an operator (lessee) dry leases a foreign registered aircraft, the operator (lessee) shall submit to the authority information required by sub regulation (2)
- (6) Subject to sub regulation 5 the Authority may enter into an agreement regarding the transfer of all or part of the functions, duties, or responsibilities with state of registry provided by Article 83 bis.
- (7) An operator authorized to operate using a foreign registered aircraft under a dry lease arrangement shall monitor its operations, maintenance and ensure compliance with the regulations of the state of registry and shall be subjected to surveillance by the Authority.
- (8) The Operator (lessor) shall be responsible for the operation and maintenance of a dry leased aircraft or where the lessor transfers these responsibilities to the operator (Lessee), the Operator (lessee) shall demonstrate to the Authority that it has capability to do so.
- (9) An Operator engaged in the dry leasing of aircraft shall make the dry lease agreement explicit concerning the maintenance programme and minimum equipment list to be followed during the lease period.
- (10) Where the lease arrangement is determined to be a dry lease involving an aircraft that possesses a certificate of registration and a certificate of airworthiness issued by the State of the Registry, and the dry lease is acceptable to the Authority, operations specifications shall contain at least the following—
- (a) the names of the parties to the lease agreement and the duration thereof;

- (b) the nationality and registration marks of each aircraft involved in the agreement;
- (c) the type of aircraft to be used;
- (d) the area of operation; and
- (e) the regulations applicable to the operation.

24. (1) An operator shall not interchange an aircraft with another operator without the approval of the Authority. Interchange agreement.

(2) Prior to operating an aircraft under an interchange agreement, the Operator shall demonstrate that—

- (a) the procedures for the interchange operation conform with safe operating practices;
- (b) the required crew members and flight operations officers meet approved training requirements for the aircraft and equipment to be used and are familiar with the communications and dispatch procedures to be used;
- (c) the maintenance personnel meet the approved training requirements for the aircraft and equipment, and are familiar with the maintenance procedures to be used;
- (d) the flight crew members and flight operations officers meet approved appropriate route and airport qualifications;
- (e) the aircraft to be operated is essentially similar to the aircraft of the operator with whom the interchange is effected; and
- (f) the arrangement of flight instruments and controls that are critical to safety are essentially similar, unless the Authority determines that the operator has adequate training programmes to ensure that any potentially hazardous dissimilarities are safely overcome by flight crew familiarisation.

(3) An operator operating an aircraft under an interchange agreement shall include the pertinent provisions and procedures of the agreement in its manuals.

(4) An operator shall—

- (a) amend its operations specifications to reflect an interchange agreement; and
- (b) comply with the applicable regulations of the State of Registry of an aircraft involved in an interchange agreement while the operator has operational control of that aircraft.

25. (1) An operator may enter into a wet-lease arrangement with another air operator subject to the approval by the Authority. Wet-leasing of aircraft.

(2) Where an operator enters into a wet lease arrangement—

- (a) the lessor shall maintain operational control of the leased aircraft; and



- (b) subject to sub regulation (1) the lessor and the lessee will determine the responsibility for operational control and safety of the Aircraft.
- (3) for aircraft under wet lease the operator shall submit the following details to the Authority;
  - (a) the aircraft type and serial number;
  - (b) the name and address of the registered owner;
  - (c) the details of the crew members;
  - (d) the State of Registry and registration marks;
  - (e) the certificate of airworthiness and statement from the registered owner that the aircraft fully complies with the airworthiness requirements of the State of Registry;
  - (f) the name, address and signature of the operator responsible for the operational control of the aircraft under the lease agreement, including a statement that the operator fully understands the responsibilities under the applicable regulations;
  - (g) a copy of the lease and maintenance agreement;
  - (h) the duration of the lease; and
  - (i) any other information as the Authority deems necessary.
- (4) The operations specifications of an operator engaged in a wet lease operation shall contain the following information—
  - (a) the names of the parties to the agreement and the duration of the agreement;
  - (b) the make, model, series, serial number, nationality and registration marks of each aircraft referred to in the agreement;
  - (c) the expiration date of the lease agreement;
  - (d) the kind of operation;
  - (e) a statement specifying the party deemed by the Authority to have operational control; and
  - (f) any other item, condition, or limitation the Authority deems necessary.

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

Emergency  
evacuation  
demonstration.

(2) The full capacity actual demonstration referred to in sub-regulation (1) may not be required, if the operator applies to the Authority with evidence that—

- (a) a satisfactory full capacity emergency evacuation for the aircraft to be operated was demonstrated during the aircraft type certification or during the certification of another air operator; and
  - (b) there is an engineering analysis, which shows that an evacuation is still possible within the ninety second standard, if the Operator's aircraft configuration differs with regard to number of exits or exit type or number of cabin crew member or location of the cabin crew member.
- (3) Where the Authority accepts the evidence submitted by the operator under sub-regulation (2), the operator shall conduct a partial emergency evacuation and ditching evacuation observed by the Authority that demonstrates the effectiveness of the Operator's crew members' emergency training and evacuation procedures.
- (4) Where a full capacity demonstration is not required, an Operator shall not use an aircraft type and model in commercial air transport passenger-carrying operations unless the Operator has first demonstrated to the Authority that its available personnel, procedures and equipment shall provide sufficient open exits for evacuation in fifteen seconds or less.
- (5) An Operator shall not use an aircraft in extended overwater operations unless the Operator has first demonstrated to the Authority that it has the ability and equipment to efficiently carry out its ditching procedures.
- (6) An Operator shall apply to the Authority for approval to conduct the emergency evacuation demonstration at least thirty days before the intended date of the emergency evacuation demonstration.
- (7) Cabin crew member to be used in the emergency evacuation demonstrations shall—
- (a) be selected at random by the Authority;
  - (b) has completed the Operator's Authority-approved training programme for the type and model of aircraft; and
  - (c) has passed the drills and competence check on the emergency equipment and procedures.
- (8) To conduct a partial emergency evacuation demonstration, the Operator's assigned cabin crew members shall, using the Operator's line operating procedures—
- (a) demonstrate the opening of fifty percent of the required floor-level emergency exits and fifty percent of the required non-floor-level emergency exits, whose opening by a cabin crew member is defined as an emergency evacuation duty and deployment of fifty percent of the exit slides, selected by the Authority; and
  - (b) prepare for use those exits and slides within fifteen seconds.
- (9) To conduct the ditching evacuation demonstration, the Operator's assigned cabin crew members shall—

- (a) demonstrate their knowledge and use of each item of required emergency equipment;
- (b) prepare the cabin for ditching within six minutes after the intention to ditch is announced;
- (c) remove each life raft from storage, one of which as selected by the Authority shall be launched and properly inflated or one slide life raft properly inflated; and
- (d) enter the raft, which shall include all required emergency equipment, and completely set it up for extended occupancy.

27. (1) An Operator shall not operate an aircraft type in commercial air transport unless the Operator first conducts demonstration flights to the satisfaction of the Authority.

Demonstration flights.

(2) An Operator shall not operate an aircraft in a designated special area or using a specialised navigation system unless the Operator conducts demonstration flight to the satisfaction of the Authority.

(3) The demonstration flights required under sub-regulation (1) shall be conducted in accordance with the regulation applicable to the type of operation.

(4) The demonstration flights shall be as specified by the Authority.

(5) A person shall not carry passengers in an aircraft during demonstration flights, except as specified by the Authority.

(6) The Authority shall determine the necessity and extent of demonstration flights for those Operators operating aircraft with a maximum certificated take-off mass of 5,700kg or less.

28. (1) An Operator shall maintain operational and airworthiness support facilities at the Operator's principal base of operation, appropriate for the area and type of operation.

Facilities.

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

29. (1) In establishing flight operations schedules, an Operator shall—

Operations schedule.

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

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

## PART IV — AOC FLIGHT OPERATIONS MANAGEMENT

30. (1) An Operator shall issue to the crew members and persons assigned operational control functions, an operations manual as set out in the Third Schedule and as specified by the Authority.

Operations manual.

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

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

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

(5) The Operations manual issued under sub-regulation (1) shall contain the Operator's overall general policies and procedures regarding the flight operations it conducts.

(6) An Operator shall prepare and keep current an operations manual which contains the Operator's procedures and policies for the use and guidance of its personnel.

(7) An Operator shall issue the operations manual, or pertinent portions, together with all amendments and revisions to all personnel that are required to use it.

(8) An Operator shall not provide for use of its personnel in commercial air transport any operations manual or its part which has not been reviewed and found acceptable or approved for the Operator by the Authority.

(9) Unless otherwise acceptable to the Authority, each Operator shall provide an operations manual containing information on operations administration and supervision, accident prevention and flight safety programmes, personnel training, flight crew and cabin crew member fatigue and flight and duty time limitations, flight operations including operational flight planning, aircraft performance, routes, guides and charts, minimum flight altitudes, aerodrome operating minima, search and rescue, dangerous goods, navigation, communications, security, and human factors.

(10) The operations manual may be published in parts, as a single document, or as a series of volumes.

(11) An Operator may design an operations manual to be more restrictive than the Authority's requirements.

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

Training manual.



(2) An operator shall submit a training manual for approval by the Authority covering all aspects of initial, recurrent, conversion and upgrade training for flight crew, cabin crew, operations personnel, ground personnel and maintenance personnel.

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

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

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

(6) The training manual specified in sub-regulation (1) shall describe in detail the training programme which will form part of the operations manual and may be issued as a separate manual.

32. (1) An Operator shall provide operations staff and flight crew with an aircraft operating manual acceptable to the Authority, for each aircraft type operated, containing the normal, abnormal and emergency procedures relating to the operation of the aircraft.

Aircraft operating manual.

(2) The manual shall include aircraft systems and checklists to be used.

(3) The design of the manual shall observe Human Factors principles.

33. An operator shall, for each commercial air transport operation, designate, in writing, one pilot as the pilot-in-command.

Designation of PIC.

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

Required cabin crew members

(2) The number of cabin crew members may not be less than the minimum specified by the Authority in the Operator's operations specifications or the following, whichever is greater—

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



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

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

(5) Where one-half of the cabin crew members specified in sub-regulation (2) would result in a fractional number, the tally of requisite cabin crew members may be rounded up to the next whole number.

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

(7) The number of cabin crew members used during a successful aircraft evacuation demonstration, shall be the minimum cabin crew complement for that aircraft type for that operator.

(8) Where the operator wants to reduce the minimum cabin crew complement approved under sub regulation (7) the operator shall apply to the Authority for approval.

35. (1) The Operator shall establish, to the satisfaction of the Authority, the minimum number of cabin crew required for each type of aircraft, based on seating capacity or the number of passengers carried, in order to effect a safe and expeditious evacuation of the aircraft, and the necessary functions to be performed in an emergency or a situation requiring emergency evacuation.

Assignment of  
Emergency  
Duties.

(2) The operator shall assign these functions for each type of aircraft.

36. Each cabin crew member assigned to emergency evacuation duties shall occupy a seat provided in accordance with the Civil Aviation (Instruments & Equipment) Regulations during take-off and landing and whenever the pilot-in-command so directs.

Cabin crew at  
Emergency  
evacuation  
stations.

37. An Operator shall allow the transportation of special situation passengers, provided that—

Carriage of  
special situation  
passengers.

- (a) the transportation complies with Operator's operations manual procedures; and
- (b) pilot-in-command has knowledge and concurrence.

38. (1) An Operator shall issue to each flight crew member and make available on each aircraft at each flight crew member position, the cockpit checklist procedures approved by the Authority appropriate for the type and variant of aircraft.

Cockpit check  
procedure.

(2) Checklists shall be used by flight crews —

- (a) prior to, during and after all phases of operations; and
- (b) in emergencies, to ensure compliance with the operating procedures contained in the aircraft operating manual and the aircraft flight manual or other documents associated with the certificate of airworthiness and otherwise in the operations manual, are followed.

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

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

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

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

39. (1) An Operator shall provide for the use of the flight crew members, maintenance personnel, and persons assigned operational control functions during the performance of their duties, Minimum Equipment List (MEL) approved by the Authority based on the master minimum equipment list established for the aircraft type by the organization responsible for the type design in conjunction with the State of Design.

Minimum  
equipment list and  
configuration  
deviation list.

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

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

(4) An Operator's Operations Manual shall contain such procedures as are acceptable to the Authority for operations in accordance with the CDL requirements.

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

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

|                                                                                                                                                                                                                                                                                                                                                                                          |                                              |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|
| <p>40. (1) An operator shall provide for the use of the flight crew members and persons assigned operational control functions during the performance of their duties, a Performance Planning Manual (PPM) acceptable to the Authority.</p>                                                                                                                                              | <p>Performance planning manual.</p>          |
| <p>(2) The PPM shall be specific to the aircraft type and variant and shall contain adequate performance information to accurately calculate the performance in all normal phases of flight operation.</p>                                                                                                                                                                               |                                              |
| <p>41. An operator shall have a system approved by the Authority, for obtaining, maintaining and distributing to appropriate personnel current performance data for each aircraft, route and airport that the Operator uses.</p>                                                                                                                                                         | <p>Performance data control system.</p>      |
| <p>42. (1) An operator shall provide for the use of the flight crew members, maintenance personnel, ground handlers, handling agents, and persons assigned operational control functions during the performance of their duties, an aircraft loading and handling manual approved by the Authority.</p>                                                                                  | <p>Aircraft loading and handling manual.</p> |
| <p>(2) The loading and handling manual shall contain procedures and limitations for servicing, Fueling, loading, unloading, pre-flight preparation and post-flight securing of the aircraft type and model.</p>                                                                                                                                                                          |                                              |
| <p>43. (1) An operator shall provide for the use of operational personnel during the performance of their duties, a mass and balance control manual approved by the Authority which specifies the system of obtaining, maintaining and distribution to the personnel information on the mass and balance of each aircraft operated and the means to keep the information up to date.</p> | <p>Mass and balance control Manual.</p>      |
| <p>(2) The manual in sub regulation (1) shall include procedures for;</p> <ul style="list-style-type: none"> <li>(a) preparation of load sheets,</li> <li>(b) distribution of passengers and cargo</li> <li>(c) determination of passenger, baggage and cargo mass; and</li> <li>(d) last-minute changes.</li> </ul>                                                                     |                                              |
| <p>44. (1) An operator who is required to use cabin crew shall issue to the cabin crew members for use during the performance of their duties, a cabin crew member manual acceptable to the Authority.</p>                                                                                                                                                                               | <p>Cabin crew member manual.</p>             |
| <p>(2) The Cabin Crew Member manual shall contain the operational policies and procedures applicable to cabin crew member and the carriage of passengers.</p>                                                                                                                                                                                                                            |                                              |
| <p>(3) An operator shall issue to the Cabin Crew Member a manual specific to the aircraft type and variant, containing at least the information set out in the Fourth Schedule as well as details of normal, abnormal and emergency procedures and the location and operation of emergency equipment.</p>                                                                                |                                              |
| <p>(4) The manuals specified in sub-regulation (3) may be combined into one manual for use by the cabin crew member.</p>                                                                                                                                                                                                                                                                 |                                              |
| <p>45. (1) An operator shall carry on each passenger-carrying aircraft, in convenient locations for the use of each passenger, printed briefing cards supplementing the oral briefing and containing—</p>                                                                                                                                                                                | <p>Passenger briefing cards.</p>             |



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

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

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

- (a) functions required of a passenger in the event of an emergency in which a crew member is not available to assist to—
  - (i) locate the emergency exit;
  - (ii) recognise the emergency exit opening mechanism;
  - (iii) comprehend the instructions for operating the emergency exit;
  - (iv) operate the emergency exit;
  - (v) assess whether opening the emergency exit will increase the hazards to which passengers may be exposed;
  - (vi) follow oral directions and hand signals given by a crew member;
  - (vii) stow or secure the emergency exit door so that it will not impede use of the exit;
  - (viii) assess the condition of an escape slide, activate the slide, and stabilise the slide after deployment to assist others in getting off the slide;
  - (ix) pass expeditiously through the emergency exit; and
  - (x) assess, select, and follow a safe path away from the emergency exit;
- (b) a requirement that a passenger identify themselves to allow reseating if that passenger—
  - (i) cannot perform the emergency functions stated in the information card;
  - (ii) has a condition that will prevent that passenger from performing the functions;
  - (iii) may suffer bodily harm as the result of performing one or more of those functions;

- (iv) does not wish to perform those functions; or
- (v) lacks the ability to read, speak, or understand the language or the graphic form in which instructions are provided by the Operator;
- (c) a statement that whenever a crew member identifies a passenger who meets the requirements specified in paragraph (b) above, the crew member shall reseat the passenger.

46. (1) An Operator shall have a system approved by the Authority for obtaining, maintaining and distributing to appropriate personnel current aeronautical data for each route and airport used.

Aeronautical data control system.

(2) The aeronautical data referred to in sub-regulation (1) shall include—

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



(ii) prevailing winds under low visibility conditions.

47. (1) An Operator shall provide for the use of the flight crew members and persons assigned operational control function during the performance of their duties, a route guide and aeronautical charts approved by the Authority.

Route guide and aeronautical charts.

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

48. (1) An Operator shall use sources approved by the Authority for the weather reports and forecasts used for decisions regarding flight preparation, routing and terminal operations.

Weather reporting sources.

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

(3) An Operator may use the following sources of weather reports for flight planning or controlling flight movement—

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

49. (1) An Operator planning to operate an aircraft in conditions where frost, ice, or snow may reasonably be expected shall—

De-icing and anti-icing programme.

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

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

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

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

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

50. (1) An Operator who conducts scheduled operations shall have an adequate system approved by the Authority for proper dispatching and monitoring of the progress of the scheduled flights.

Flight supervision and monitoring system.

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

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

51. (1) An Operator who conducts charter flight operations shall have a system for providing flight preparation documents and determining the departure and arrival times of its flights at all airports approved by the Authority.

Flight following system for charter flights operations.

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

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

(4) The centres established by an operator who conducts charter flight operations for flight following shall be located at points necessary to ensure—

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

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

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

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

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

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

Communications facilities.

(2) An Operator who conducts scheduled operations shall have rapid and reliable radio communications with all flights over the Operator's entire route structure under normal operating conditions.

53. (1) An Operator may conduct operations only along such routes and within such areas for which—

Routes and areas of operation.

- (a) ground facilities and services, including meteorological services, provided are adequate for the planned operation;
- (b) the performance of the aircraft intended to be used is adequate to comply with minimum flight altitude requirements;
- (c) the equipment of the aircraft intended to be used meets the minimum requirements for the planned operation;

- (d) appropriate and current maps and charts are available; and
  - (e) where a two-engine aircraft is used, adequate airports are available with the time and distance limitations.
- (2) A person shall not conduct commercial air transport operations on any route or area of operation unless the operations are in accordance with any restrictions imposed by the Authority.
54. (1) An Operator shall not operate on a proposed route or area that does not have non- visual ground aids—
- (a) available over the route for navigating aircraft within the degree of accuracy required for ATC; and
  - (b) located to allow navigation to any regular, provisional, refueling, or alternate airport, within the degree of accuracy necessary for the operation involved.
- (2) Non-visual ground aids shall not be required for—
- (a) visual flight rules operations; or
  - (b) operations on route segments where the use of celestial or other specialised means of navigation is approved by the Authority.
55. (1) An Operator shall establish a flight safety documents system, for the use and guidance of operational personnel as part of its safety management system.
- (2) Guidance on the development and organization of a flight safety documents system is provided in the Fifth schedule.
56. (1) An Operator operating a Kenyan registered aircraft flying for the purpose of commercial air transport shall establish and maintain a safety management system that is appropriate to the size and complexity of the operation in accordance with the provisions of the Civil Aviation (Safety Management) Regulations.
- (2) The operator of an aeroplane of a maximum certificated take-off mass in excess of 27 000 kg shall establish and maintain a flight data analysis programme as part of its safety management system.
- (3) The operator shall ensure that the flight data analysis programme contains adequate safeguards to protect the source(s) of the data in accordance with Civil Aviation (Safety Management) Regulations.
- (4) The Operator shall ensure that recordings or transcripts of CVR, CARS, Class A AIR and Class A AIRS are not be used for any purpose other than the investigation of accidents or incidents as provided for by Civil Aviation (Air Accident Investigation) Regulations, except where the recordings or transcripts are —
- (a) related to a safety-related event identified in the context of a safety management system; are restricted to the relevant portions of a de-identified transcript of the recording; and are subject to the protections accorded by Civil Aviation (Safety Management) Regulations; or

En-route  
navigational  
facilities.

Flight safety  
documents  
system.

Safety Programme  
and Management  
System.



- (b) sought for use in criminal proceedings not related to an event involving an accident or incident investigation and are subject to the protections accorded by Civil Aviation (Safety Management) Regulations;
- (c) used for inspections of flight recorder systems as provided for in these Regulations.

(5) The operator shall ensure that recordings or transcripts of FDR, ADRS as well as Class B and Class C AIR and AIRS are not to be used for any purpose other than the investigation of an accidents or incidents as provided for by Civil Aviation (Air Accident Investigation) Regulations, except where the recordings or transcripts are subject to the protections accorded by Civil Aviation (Safety Management) Regulations and are—

- (a) used by the operator for airworthiness or maintenance purposes;
- (b) used by the operator in the operation of a flight data analysis programme required in these regulations;
- (c) sought for use in proceedings not related to an event involving an accident or incident investigation;
- (d) de-identified; or
- (e) disclosed under secure procedures.

#### PART V—AOC MAINTENANCE REQUIREMENTS

57. (1) For maintenance purposes, an Operator's quality system required under regulation 16 shall—

Quality system:  
Maintenance

- (a) include at least the following functions—
  - (i) monitoring that the maintenance activities are being performed in accordance with the accepted procedures;
  - (ii) ensuring that all contracted maintenance is carried out in accordance with the contract;
  - (iii) monitoring compliance with, and adequacy of, procedures required to ensure safe maintenance practices, airworthy aircraft and aircraft components; and
  - (iv) monitoring the continued compliance with the requirements of these Regulations; and
- (b) include a quality assurance programme that contains procedures designed to verify that all maintenance operations are being conducted in accordance with all applicable requirements, standards and procedures.

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

(3) Where an Operator is also an approved maintenance organisation (AMO), the Operator's quality management system may be combined with the requirements of an AMO and submitted for



approval to the Authority, and State of Registry for aircraft not registered in Kenya.

(4) An Operator shall establish a plan acceptable to the Authority indicating when and how often the maintenance activities may be monitored.

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

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

(7) To ensure effective compliance with this regulation, an Operator shall carry out—

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

58. (1) An Operator shall ensure that every Kenyan registered aircraft used for commercial air transport or aerial work maintains a technical logbook.

Technical  
logbook.

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

- (a) a title page with the name and address of the operator, the aircraft type, and registration marks;
- (b) details relating to the current maintenance release;
- (c) details relating to the next inspection on the approved maintenance schedule;
- (d) a section containing sector record pages, each page being serially numbered with the operator's name printed thereon and having a provision for recording the following—
  - (i) aircraft type, serial number and registration marks;
  - (ii) date, place and time of take-off and landing;
  - (iii) particulars of any defect experienced on the aircraft;

- (iv) the fuel and oil quantities on arrival and quantities uplifted in each tank;
  - (v) a maintenance release in respect of any work performed for the purpose of rectifying defects;
  - (vi) the running total of flying hours, such that the hours to the next scheduled inspection can be easily determined; and
  - (vii) provision for pre-flight and daily inspection signatures;
- (e) a readily identifiable section containing a record of deferred defects with serially numbered pages and the operator's name printed thereon including a provision for recording the following—
- (i) a cross-reference for each deferred defect such that the original defect together with brief related details can be clearly identified in the sector record section; and
  - (ii) the original date of occurrence of the deferred defect, together with brief related detail;
- (f) a cross-reference for each deferred defect such that the action in respect of such deferred defect can be clearly identified in the sector record section;
- (g) the number of landings, flight pressure cycles or engine cycles as specified for that aircraft; and
- (h) any other details as the Authority may require.
- (3) The technical log and any subsequent amendment shall be approved by the Authority.

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

Technical logbook entries.

- (a) the times when the aircraft took off and landed; and
  - (b) particulars of any defect which is known to him and which affects the airworthiness or safe operation of the aircraft, or if no such defect is known to him, an entry to that effect.
- (2) Notwithstanding sub-regulation (1), in the case of a number of consecutive flights each of which begins and ends—
- (a) within the same period of twenty-four hours;
  - (b) at the same aerodrome except where each such flight is for the purpose of dropping or projecting any material for agricultural, public health or similar purposes; and
  - (c) with the same person as the PIC, the PIC may, except where he becomes aware of a defect during an earlier flight, make the entries in a technical logbook at the end of the last of such consecutive flights.

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

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

#### PART VI— AOC SECURITY MANAGEMENT

60. An Operator shall ensure that all appropriate personnel are familiar and comply with the relevant requirements of the national security programmes of Kenya, for the protection of aircraft, facilities and personnel from unlawful interference.

Security requirements.

#### PART VII — AOC DANGEROUS GOODS MANAGEMENT

61. all operators, whether approved or not for the transport of dangerous goods shall meet the requirements specified in the Civil Aviation (safe transport of dangerous goods) Regulations:

Dangerous goods

#### PART VIII— EXEMPTIONS

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

Requirements for Application

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

(3) A request for an exemption must contain the applicant's—

- (a) name;
- (b) physical address and mailing address;
- (c) telephone number;
- (d) fax number if available; and
- (e) email address if available.

(4) The application shall be accompanied by a fee prescribed by the Authority, for technical evaluation.

63. (1) An application for an exemption shall contain the following—

Substance of the request for exemption.

- (a) a citation of the specific requirement from which the applicant seeks exemption;
- (b) an explanation of why the exemption is needed;
- (c) a description of the type of operations to be conducted under the proposed exemption;
- (d) the proposed duration of the exemption;
- (e) an explanation of how the exemption would be in the public interest, that is, benefit the public as a whole;

- (f) a detailed description of the alternative means by which the applicant will ensure a level of safety equivalent to that established by the regulation in question;
- (g) a review and discussion of any known safety concerns with the requirement, including information about any relevant accidents or incidents of which the applicant is aware; and
- (h) if the applicant seeks to operate under the proposed exemption outside of Kenya's airspace, an indication whether the exemption would contravene any provision of the Standards and Recommended Practices of the International Civil Aviation Organization (ICAO) as well as the Regulations pertaining to the airspace in which the operation will occur.

(2) Where the applicant seeks expeditious processing, the application shall contain supporting facts and reasons why the application was not timely filed, and the reasons it is an emergency

(3) The Authority may deny an application if the Authority finds that the applicant has not justified the failure to apply for an exemption in a timely fashion.

(4) The Authority of the Operator of an aeroplane type with two turbine engines which, prior to the 25th March, 1986 was authorized and operating on a route where the flight time at single-engine cruise speed to an adequate en-route alternate aerodrome exceeded the threshold time established for such operations in accordance with regulation 79 shall give consideration to permitting such an operation to continue on that route after that date.

64. (1) The Authority shall review the application for accuracy and compliance with the requirements of Regulations 62 and 63.

Initial review by the Authority.

(2) If the application appears on its face to satisfy the provisions of these regulations and the Authority determines that a review of its merits is justified, the Authority shall publish a detailed summary of the application in either Kenya Gazette, aeronautical information circular or at least one local daily newspaper for comment and specify the date by which comments shall be received by the Authority for consideration.

(3) Where the filing requirements of these regulations have not been met, the Authority shall notify the applicant and take no further action until and unless the applicant corrects the application and re-files it in accordance with these Regulations.

(4) If the request is for emergency relief, the Authority shall publish the application or the Authority's decision as soon as possible after processing the application.

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

Evaluation of the request.

- (a) determination of whether an exemption would be in the public interest;



- (b) a determination, after a technical evaluation of whether the applicant's proposal would provide a level of safety equivalent to that established by the regulation, although where the Authority decides that a technical evaluation of the request would impose a significant burden on the Authority's technical resources, the Authority may deny the exemption on that basis;
- (c) a determination of whether a grant of the exemption would contravene the applicable ICAO Standards and Recommended Practices; and
- (d) a recommendation based on the preceding elements, of whether the request should be granted or denied, and of any conditions or limitations that should be part of the exemption.

(2) The Authority shall notify the applicant by letter and publish a detailed summary of its evaluation and decision to grant or deny the request.

(3) The summary referred to in sub-regulation (2) shall specify the duration of the exemption and any conditions or limitations of the exemption.

(4) If the exemption affects a significant population of the aviation community of Kenya, the Authority shall publish the summary in aeronautical information circular.

#### PART IX — GENERAL PROVISIONS

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

Possession of the licence.

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

67. A safety sensitive person shall not, when involved in aviation safety and security operations or operation of any aircraft whether in-flight or on the ground or being carried in any aircraft for the purpose of so acting be under the influence of alcohol or drugs.

Operating under the influence of alcohol or drugs in aircraft or while on duty.

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

Drug and alcohol testing and reporting.

(2) Where the Authority or any person authorised by the Authority wishes to test a person referred to in sub-regulation (1) for the percentage by weight of alcohol in the blood, or for the presence of narcotic drugs, marijuana, or depressant or stimulant drugs or Substances in the body, and that person —



- (a) refuses to submit to the test; or
- (b) having submitted to the test, refuses to authorise the release of the test results the Authority may suspend or revoke the certificate of the operator that employs that person
- (3) In determining whether to suspend or revoke the certificate of the Operator, the Authority shall consider all relevant factors, including—
  - (a) whether the operator had knowledge of the drug or alcohol use;
  - (b) whether the operator encouraged the person to refuse the drug or alcohol test;
  - (c) the position that person held with the operator.
- 69. A person who holds a licence, certificate, or authorisation issued by the Authority shall present it for inspection upon a request by the Authority or any other person authorised by the Authority. Inspection of licences and certificates.
- 70. (1) A holder of a licence, certificate or authorisation issued by the Authority may apply to change the name on a license or certificate. Change of Name.
  - (2) The holder shall include with any such request—
    - (a) the current license or certificate; and
    - (b) a court order, or other legal document verifying the name change.
  - (3) The Authority may change the licence, certificate or authorisation and issue a replacement thereof.
  - (4) The Authority shall return to the holder the original documents specified in sub-regulation 2(b) and retain copies thereof and return the replaced licence, certificate or authorisation with the appropriate endorsement.
- 71. (1) A holder of a certificate, or authorisation issued by the Authority 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 in advance; and
  - (b) mailing address upon the change;
  - (2) A person who does not notify the Authority of the change in the physical address within the time frame specified in sub-regulation (1) shall not exercise the privileges of the certificate or authorisation.
- 72. A person may apply to the Authority in the specified form for replacement of documents issued under these Regulations if such documents are lost or destroyed. Replacement of documents.
- 73. (1) The Authority may, where it considers it to be in the public interest, suspend provisionally, pending further investigation, any certificate, approval, permission, exemption, authorisation or Certificate Suspension and Revocations.

other document issued, granted or having effect under these Regulations.

(2) The Authority may, upon the completion of an investigation which has shown sufficient ground to its satisfaction and where it considers it to be in the public interest, revoke, suspend, or vary any certificate, approval, permission, exemption or such other document issued or granted under these Regulations.

(3) The Authority may, where it considers it to be in the public interest, prevent any person or aircraft from flying.

(4) A holder or any person having the possession or custody of any certificate, approval, permission, exemption or other documents which has been revoked, suspended or varied under these Regulations shall surrender it to the Authority within fourteen days from the date of revocation, suspension or variation.

(5) Breach of any condition subject to which any certificate, approval, permission, exemption or any such other document has been granted or issued under these Regulations shall render the document invalid during the continuance of the breach.

74. (1) A person shall not—

Use and retention  
of documents and  
records.

- (a) use any certificate, approval, permission, exemption or such other document issued or required by or under these Regulations which has been forged, altered, revoked, or suspended, or to which he is not entitled;
- (b) forge or alter any certificate, approval, permission, exemption or such other document issued or required by or under these Regulations;
- (c) lend any certificate, approval, permission, exemption or such other document issued or required by or under these Regulations to any other person;
- (d) make any false representation for the purpose of procuring for themselves or any other person the grant, issue, renewal or variation of any such certificate, approval, permission or exemption or such other document; or
- (e) during the period for which it is required under these Regulations to be preserved, a person shall not mutilate, alter, render illegible or destroy any records, or any entry made therein, required by or under these Regulations to be maintained, or knowingly make, or procure or assist in the making of, any false entry in any such record, or wilfully omit to make a material entry in such record.

(3) All records required to be maintained by or under these Regulations shall be recorded in a permanent and indelible material.

(4) A person shall not purport to issue any certificate, document or exemption under these Regulations unless he is authorised to do so by the Authority.

(5) A person shall not issue any certificate of the kind referred to in sub-regulation (4) unless he has satisfied himself that all statements in the certificate are correct, and that the applicant is qualified to hold that certificate.

75. (1) Any person who knows of a violation of the Act or any amendment thereto, or any rule, Regulation, or order issued 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 needs to be taken.

76. (1) The Authority shall take enforcement action on any regulated entity that fails to comply with the provisions of these regulations.

Enforcement of directions.

(2) Inspectors of the Authority holding valid delegations shall take necessary action to preserve safety where an undesirable condition has been detected.

(3) The action(s) referred to in sub-regulation (2) may include—

- (a) in the case of a regulated entity, imposition of operating restrictions until such a time that the existing undesirable condition has been resolved; or
- (b) in the case of a licensed personnel, require that the individual does not exercise the privileges of the license until such a time that the undesirable condition has been resolved.

(4) In carrying out the enforcement actions pursuant to the provisions of sub-regulation (2), the inspectors of the Authority shall invoke the powers with due care and act in good faith in the interest of preserving safety.

77. (1) The Authority will 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 provisions of sub-regulation (1), the applicant shall be required, before the application is accepted, to pay the fee so chargeable.

(3) If, after that payment has been made, the application is withdrawn by the applicant or otherwise ceases to have effect or is refused, the Authority shall not refund the payment made.

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

Application of regulations to Government and 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.

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

Extra-territorial application of 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
- (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; and
- (d) in so far as they prohibit, require or regulate, whether by express reference or otherwise, the doing of anything in relation to any aircraft registered in Kenya by other persons shall, where such persons are citizens of Kenya, apply to them wherever they may be.

80. (1) An AOC Applicant shall not advertise as a certificated air operator unless an approved air operator certificate has been issued.

Advertising.

(2) An AOC holder shall not make any statements, either in writing or orally, about itself that is false or is designed to mislead any person.

(3) Each advertisement shall bear the air operator's Certificate number.

#### PART X—OFFENCES AND PENALTIES

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

Contravention of Regulations.

82. (1) If any provision of these Regulations, orders, notices or proclamations made under the regulations is contravened in relation to an aircraft, the operator of that aircraft and the pilot in command, if the operator or the pilot in command is not the person who contravened that provision shall, without prejudice to the liability of any other person under these Regulations for that contravention, be deemed to have contravened that provision unless he proves that the contravention occurred without his consent or connivance and that he or she exercised all due diligence to prevent the contravention.

Penalties.

(2) A person who contravenes any provision specified as an "A" provision in the sixth schedule to these Regulations commits an offence

and is liable on conviction to a fine not exceeding one million shillings for each offence and or to imprisonment for a term not exceeding one year or to both.

(3) A person who contravenes any provision specified as a “B” provision in the Sixth Schedule to these Regulations commits an offence and is liable on conviction to a fine not exceeding two million shillings for each offence and or to imprisonment for a term not exceeding three years or to both.

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

#### PART XI — SAVING AND TRANSITIONAL PROVISIONS

83. The Civil Aviation (Air Operator Certification and Administration) Regulations, 2018, are hereby revoked.

Revocation of  
L.N No. 92/ 2018.

84. (1) All valid licenses, certificates, permits or authorisations issued or granted by the Authority before the commencement of these regulations shall continue to be in force to the extent that the terms and conditions thereof are not inconsistent with the provisions of these regulations or until expiry or are revoked, annulled or replaced.

Saving and  
Transitional  
Provisions.

(2) Notwithstanding any other provision of these Regulations, a person who at the commencement of these Regulations, is carrying out any act, 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.



## FIRST SCHEDULE

(r. 7(3))

Notes.—

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

SECOND SCHEDULE  
(r. 7(5))  
OPERATIONS SPECIFICATIONS

| OPERATIONS SPECIFICATIONS                                                                  |                              |               |                                                                                                  |              |
|--------------------------------------------------------------------------------------------|------------------------------|---------------|--------------------------------------------------------------------------------------------------|--------------|
| (Subject to the approval conditions in the operations manual)                              |                              |               |                                                                                                  |              |
| KCAA – KENYA CIVIL AVIATION AUTHORITY - Contact Details <sup>1</sup>                       |                              |               |                                                                                                  |              |
| Telephone <sup>1</sup> :                                                                   |                              | or            |                                                                                                  |              |
| AOC # <sup>2</sup> :                                                                       | Operator Name <sup>3</sup> : |               | Issue Date <sup>4</sup> :                                                                        |              |
| Dba trading name <sup>4</sup> :                                                            |                              | Signature:    |                                                                                                  | Expiry Date: |
| Aircraft Model <sup>5</sup> :                                                              |                              | Registration: |                                                                                                  |              |
| Types of Operation <sup>6</sup> : Commercial Air Transportation      Passengers      Cargo |                              |               |                                                                                                  |              |
| Other <sup>6</sup> <u>NIL</u>                                                              |                              |               |                                                                                                  |              |
| Area(s) of Operation <sup>7</sup> :                                                        |                              |               |                                                                                                  |              |
| Special Limitations <sup>8</sup> :                                                         |                              |               |                                                                                                  |              |
| SPECIFIC APPROVAL                                                                          | YES                          | NO            | DESCRIPTION <sup>9</sup>                                                                         | REMARKS      |
| Dangerous Goods:                                                                           |                              |               |                                                                                                  |              |
| Low Visibility Operations                                                                  |                              |               |                                                                                                  |              |
| Approach and Landing                                                                       |                              |               | CAT <sup>10</sup> :      RVR:      DH:                                                           |              |
| Take-off                                                                                   |                              |               | RVR <sup>11</sup> :      or      Visibility                                                      |              |
| Operational Credits                                                                        |                              |               | <sup>12</sup>                                                                                    |              |
| RVSM <sup>13</sup> N/A                                                                     |                              |               |                                                                                                  |              |
| EDTO <sup>14</sup> N/A                                                                     |                              |               | Threshold time <sup>15</sup> _____ minutes<br>Maximum diversion time <sup>15</sup> _____ minutes |              |
| AR navigation specifications for PBN operations                                            |                              |               | <sup>16</sup>                                                                                    |              |

|                             |                                                                                   |                                                                                   |                                                                                      |  |
|-----------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|--|
| Continuing<br>airworthiness |  |  | <sup>17</sup> Head of Maintenance-KCARs<br>XXX, AOC & Admin.<br>Regulations. Reg. XX |  |
| EFB                         |  |  | <sup>18</sup>                                                                        |  |
| Other <sup>19</sup>         |  |  |                                                                                      |  |
| Approach                    |                                                                                   |                                                                                   | CAT:    RVR:    DH:                                                                  |  |
| Takeoff                     |                                                                                   |                                                                                   | RVR:    OR    Visibility                                                             |  |
|                             |                                                                                   |                                                                                   |                                                                                      |  |

## THIRD SCHEDULE

(rr. 30 (1) and 31 (2))

## OPERATIONS MANUAL

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

## 1 ORGANISATION

An operations manual shall be organised with the following structure:

- (a) General;
- (b) Aircraft operating information;
- (c) Routes and aerodromes;
- (d) Training.

## 2 CONTENTS

The operations manual shall contain at the least the following—

## 2.1 General

- 2.1.1 Instructions outlining the responsibilities of each member of the crew and the
- 2.1.2 Flight and duty time limitations and rest schemes for flight and cabin crew members.
- 2.1.3 A list of the navigational equipment to be carried including any requirements relating to operations where performance-based navigation is prescribed.
- 2.1.4 Where relevant to the operations, the long-range navigation procedures, engine failure procedure for EDTO and the nomination and utilisation of diversion aerodromes.
- 2.1.5 The circumstances in which a radio listening watch is to be maintained.
- 2.1.6 The method for determining minimum flight altitudes.
- 2.1.7 The methods for determining aerodrome operating minima.
- 2.1.8 Safety precautions during refueling with passengers on board.
- 2.1.9 Ground handling arrangements and procedures.
- 2.1.10 Procedures for pilots-in-command when an accident is observed.
- 2.1.11 The flight crew for each type of operation including the designation of the succession of command.
- 2.1.12 Specific instructions for the computation of the quantities of fuel and oil to be carried, taking into account all circumstances of the operation including the possibility of loss of pressurisation and the failure of one or more engines while enroute.



- 
- 2.1.13 The conditions under which oxygen shall be used and the amount of oxygen determined in accordance with the Fourth Schedule of the ANO.
- 2.1.14 Instructions for mass and balance control.
- 2.1.15 Instructions for the conduct and control of ground de-icing/anti-icing operations.
- 2.1.16 The specifications for the operational flight plan.
- 2.1.17 Standard operating procedures (SOP) for each phase of flight.
- 2.1.18 Instructions on the use of normal checklists and the timing of their use.
- 2.1.19 Departure contingency procedures.
- 2.1.20 Instructions on the maintenance of altitude awareness and the use of automated or flight crew altitude call-out.
- 2.1.21 Instructions on the use of auto pilots and auto throttles in IMC.  
*Note:* Instructions on the use of auto pilots and auto-throttles, are essential for avoidance of approach and landing accidents and controlled flight into terrain accidents.
- 2.1.22 Instructions on the clarification and acceptance of ATC clearances, particularly where terrain clearance is involved.
- 2.1.23 Departure and approach briefings.
- 2.1.24 Procedures for familiarisation with areas, route and aerodromes.
- 2.1.25 Stabilised approach procedure.
- 2.1.26 Limitation on high rates of descent near the surface.
- 2.1.27 Conditions required to commence or to continue an instrument approach.
- 2.1.28 Instructions for the conduct of precision and non-precision instrument approach procedures.
- 2.1.29 Allocation of flight crew duties and procedures for the management of crew work load during night and IMC instrument approach and landing operations.
- 2.1.30 Instructions, training or awareness programmes, as appropriate for-
- (a) the avoidance of controlled flight into terrain and policy for the use of the ground proximity warning systems (GPWS); and
  - (b) upset prevention and recovery.
- 2.1.31 Policy, instructions, procedures and training requirements for the avoidance of collisions and the use of the airborne collision avoidance system (ACAS).
- 2.1.32 Information and instructions relating to the interception of civil aircraft including:

- (a) procedures, for pilots-in-command of intercepted aircraft; and
  - (b) visual signals for use by intercepting and intercepted aircraft.
- 2.1.33 For aeroplanes intended to be operated above 49000ft(15000m) —
- (a) information which will enable the pilot to determine the best course of action to take in the event of exposure to solar cosmic radiation;
  - (b) procedures in the event that a decision to descend is taken, covering;
    - (i) the necessity of giving the appropriate ATS unit prior warning of the situation and of obtaining a provisional descent clearance;
    - (ii) the action to be taken in the event that communication with the ATS unit cannot be established or is interrupted; and
  - (c) procedures to maintain records such that the total cosm radiation dose received by each crew member over a period of 12 consecutive months can be determined.
- 2.1.34 Information on the safety management system and related flight safety programs as are relevant to flight operations.
- 2.1.35 Information and instructions on the carriage of dangerous goods, including action to be taken in the event of an emergency. These shall include the labelling and marking of dangerous goods, the manner in which they must be loaded on or suspended beneath an aircraft, the responsibilities of members of the crew in respect of the carriage of dangerous goods and the action to be taken in the event of emergencies arising involving dangerous goods.

Guidance material on the development of policies and procedures for dealing with dangerous goods incidents on board aircraft is contained in Emergency Response Guidance for Aircraft Incidents involving Dangerous Goods (ICAODoc9481)

- 2.1.36 Security instructions and guidance.
- 2.1.37 A checklist of the procedures to be followed in searching for a bomb in case of suspected sabotage and for inspecting aeroplanes for concealed weapons, explosives or other dangerous devices when a well-founded suspicion exists that the aeroplane may be the object of an act of unlawful interference, supported by guidance on the course of action to be taken should a bomb or suspicious object be found and information on the least-risk bomb location specific to the aircraft.
- 2.1.38 Instructions and training requirements for the use of automatic landing systems, a HUD or equivalent displays and EVS, SVS or CVS equipment as applicable
- 2.1.39 Instructions and training requirements for the use of the EFB, as applicable.
- 2.2 Aircraft operating information

- 
- 2.2.1 Certification limitations and operating limitations.
  - 2.2.2 The normal, abnormal and emergency procedures and checklists to be used by the flight crew.
  - 2.2.3 Operating instruction and information on climb performance with
  - 2.2.4 Flight planning data for pre-flight and in-flight planning with different thrust/power and speed settings.
  - 2.2.5 The maximum crosswind and tail wind components for each aeroplane type operated and the reductions to be applied to these values regarding gusts, low visibility, runway surface conditions, crew experience, use of autopilot, Abnormal or emergency circumstances, or any other relevant operational factors.
  - 2.2.6 Instructions for aircraft loading and securing of load.
  - 2.2.7 Aircraft systems, associated controls and instructions for their use
  - 2.2.8 The minimum equipment list and configuration deviation list for the aeroplane types operated and specific operations authorised, including any requirements relating to operations in which performance-based navigation is prescribed.
  - 2.2.9 Check list of emergency and safety equipment and instructions for their use
  - 2.2.10 Emergency evacuation procedures, including type specific procedures, crew coordination, assignment of crew's emergency positions and the emergency duties assigned to each crewmember.
  - 2.2.11 The normal, abnormal and emergency procedures to be used by the cabin crew, the checklists relating thereto and aircraft systems information as required, including a statement related to the necessary procedures for the coordination between flight and cabin crew.
  - 2.2.12 Survival and emergency equipment for different routes and the necessary procedures to verify its normal functioning before take-off, including procedures to determine the required amount of oxygen and the quantity available.
  - 2.2.13 The ground-air visual signal code for use by survivors,
- 2.3 Routes, aerodromes and heliports
- 2.3.1 A route guide to ensure that the flight crew will have, for each flight, information relating to communication facilities, navigation aids, aerodromes, instrument approaches, instrument arrivals and instrument departures as applicable for the operation, and such other information as the operator may deem necessary for the proper conduct of flight operations.
  - 2.3.2 The minimum flight altitudes for each route to be flown.

- 
- 2.3.3 Aerodrome operating minima for each of the aerodromes that are likely to be used as aerodromes of intended landing or as alternate aerodromes.
  - 2.3.4 The increase of aerodrome operating minima in case of degradation of approach or aerodrome facilities.
  - 2.3.5 Instructions for determining aerodrome operating minima for
  - 2.3.6 The necessary information for compliance with all flight profiles required by regulations, including but not limited to, the determination of—
    - (a) take-off runway length requirements for dry, wet and contaminated conditions, including those dictated by system failures which affect the take-off distance;
    - (b) take-off climb limitations;
    - (c) en-route climb limitations;
    - (d) approach climb limitations and landing climb limitations;
    - (e) landing runway length requirements for dry, wet and contaminated conditions, including systems failures which affect the landing distance; and
    - (f) supplementary information, such as tire speed limitations.
- 2.4 Training
- 2.4.1 Details of the flight crew training programme.
  - 2.4.2 Details of the cabin crew duties training programme.
  - 2.4.3 Details of the flight operations officer/flight dispatcher training programme when employed in conjunction with the operator's method of light supervision.

## FOURTH SCHEDULE

(r. 44(3))

## CABIN CREWMEMBER MANUAL

- 1.1 General
- 1.2 Manual record of revision sheet and effective list of pages
- 1.3 How to use the manual
- 1.4 Where to obtain revisions
- 1.5 How to revise the manual
- 1.6 Cabin crewmembers' responsibilities regarding the manual
- 2.1 Organization
- 2.2 Duties and responsibilities of each airline employee
- 2.3 Focal points for all company procedural and training manuals
- 3.1 Government Regulations and Requirements and Related Company Policies
- 3.2 Routine/normal operating procedures
- 4.1 Passenger Handling
- 4.2 Handicapped and disabled passengers
- 4.3 Interference
- 4.4 Current security procedures
- 4.5 Carriage of assist animals versus carriage of pets (company policy)
- 5.1 General Emergency Procedures
- 5.2 Decompression
- 5.3 Procedures for planned and unplanned evacuation on land and in water
  - (a) Cabin preparation
  - (b) Securing of cabin and galley
  - (c) Review of passenger safety procedures and survival equipment
  - (d) Brace positions
  - (e) Able-bodied passenger briefing and procedures
- 5.4 Brace Positions for Passengers and Crew
  - (a) Forward and aft seats
  - (b) High and low density seating
- 5.5 Abnormal Procedures
  - (a) Engine torching
  - (b) Passenger initiation of evacuation
  - (c) Passenger reporting of unsafe conditions of aircraft or other passengers



5.6 Turbulence

6.1 First Aid

6.2 Illness and Injuries

6.3 Symptoms

6.4 Immediate Treatment

6.5 Universal Precautions

6.6 Blood borne Pathogens

6.7 Use of Medical Equipment and First Aid Equipment

7.1 Aircraft Specific Sections

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

7.2 Description of Particular Aircraft from Nose to Tail—

(a) Description

(b) Operation

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

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

8.0 International Rules/Regulations/Paperwork.

## FIFTH SCHEDULE

(r. 55(2))

## FLIGHT SAFETY DOCUMENTS SYSTEM

## 1. INTRODUCTION

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

## 2. ORGANIZATION

- 2.1 A flight safety documents system shall be organized according to criteria, which ensure easy access to information, required for flight and ground operations contained in the various operational documents comprising the system and which facilitate management of the distribution and revision of operational documents.
- 2.2 Information contained in a flight safety documents system shall be grouped according to the importance and use of the information, as follows—
  - (a) time critical information, e.g., information that can jeopardize the safety of the operation if not immediately available;
  - (b) time sensitive information, e.g., information that can affect the level of safety or delay the operation if not available in a short time period;
  - (c) frequently used information;
  - (d) reference information, e.g., information that is required for the operation but does not fall under b) or c) above; and
  - (e) information that can be grouped based on the phase of operation in which it is used.
- 2.3 Time critical information shall be placed early and prominently in the flight safety documents system.
- 2.4 Time critical information, time sensitive information, and frequently used information shall be placed in cards and quick-reference guides.

## 3. VALIDATION

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

## 4. DESIGN

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

- 4.2 Operational documents shall include a glossary of terms, acronyms and their standard definition, updated on a regular basis to ensure access to the most recent terminology. All significant terms, acronyms and abbreviations included in the flight documents system shall be defined.
- 4.3 A flight safety documents system shall ensure standardization across document types, including writing style, terminology, use of graphics and symbols, and formatting across documents. This includes a consistent location of specific types of information, consistent use of units of measurement and consistent use of codes.
- 4.4 A flight safety documents system shall include a master index to locate, in a timely manner, information included in more than one operational document.  
The master index must be placed in the front of each document and consist of no more than three levels of indexing. Pages containing abnormal and emergency information must be tabbed for direct access.
- 4.5 A flight safety documents system shall comply with the requirements of the operator's quality system, if applicable.
5. DEPLOYMENT  
Operators shall monitor deployment of the flight safety documents system, to ensure appropriate and realistic use of the documents, based on the characteristics of the operational environment and in a way which is both operationally relevant and beneficial to operational personnel. This monitoring shall include a formal feedback system for obtaining input from operational personnel.
6. AMENDMENT
- 6.1 Operators shall develop an information gathering, review, distribution and revision control system to process information and data obtained from all sources relevant to the type of operation conducted, including, but not limited to, the State of the Operator, State of design, State of Registry, manufacturers and equipment vendors.  
Manufacturers provide information for the operation of specific aircraft that emphasizes the aircraft systems and procedures under conditions that may not fully match the requirements of operators. Operators shall ensure that such information meets their specific needs and those of the local authority
- 6.2 Operators shall develop an information gathering, review and distribution system to process information resulting from changes that originate within the operator, including—
- (a) changes resulting from the installation of new equipment;
  - (b) changes in response to operating experience;
  - (c) changes in an operator's policies and procedures;
  - (d) changes in an operator certificate; and
  - (e) changes for purposes of maintaining cross fleet standardization.
- Operators shall ensure that crew coordination philosophy, policies and procedures are specific to their operation.*
- 6.3 A flight safety documents system shall be reviewed—
- (a) on a regular basis (at least once a year);

- (b) after major events (mergers, acquisitions, rapid growth, downsizing, etc.);
- (c) after technology changes (introduction of new equipment); and
- (d) after changes in safety regulations.

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

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

- 6.5 New information shall be reviewed and validated considering its effects on the entire flight safety documents system
- 6.6 The method of communicating new information shall be complemented by a tracking system to ensure currency by operational personnel. The tracking system shall include a procedure to verify that operational personnel have the most recent updates.

## SIXTH SCHEDULE

(r. 82)

## PENALTIES

| REG. NO. | TITLE                                                     | PART |
|----------|-----------------------------------------------------------|------|
| 4        | Compliance with an Air Operator Certificate.              | B    |
| 9        | Amendment of an Air Operator Certificate.                 | A    |
| 10       | Access for inspection.                                    | A    |
| 11       | Conducting tests and inspections.                         | A    |
| 17       | Submission and revision of policy and procedure manuals   | A    |
| 18       | Retention and maintenance of personnel and other records. | A    |
| 19       | Inspection of personnel and other records.                | A    |
| 20       | Flight recorders records.                                 | A    |
| 22       | Authorised aircraft.                                      | B    |
| 23       | Dry leasing                                               | A    |
| 24       | Interchange agreement                                     | B    |
| 25       | Wet leasing of Aircraft                                   | B    |
| 27       | Demonstration flight                                      | A    |
| 34       | Required cabin crew members                               | A    |
| 37       | Carriage of special situation passengers.                 | A    |
| 53       | Routes and areas of operation                             | A    |
| 54       | En-route navigational facilities.                         | A    |
|          |                                                           |      |
| 78       | dangerous-goods.                                          | B    |
| 66       | Possession of the licence.                                | A    |
| 68       | Drug and alcohol testing and reporting.                   | A    |
| 69       | Inspection of licences and certificates.                  | A    |
| 74       | Use and retention of certificates and records.            | B    |

Made on the 15th December, 2025.

DAVIS CHIRCHIR,  
*Cabinet Secretary for Roads and Transport.*