

MATRIX ON DRAFT CIVIL AVIATION (CONSTRUCTION OF VISUAL AND INSTRUMENT FLIGHT PROCEDURES) REGULATIONS 2024

NO.	REG. MARGINAL NOTES	DRAFT 2022 TEXT	PROPOSED TEXT 2024	REMARKS IF ANY
1		IN EXERCISE of powers conferred by section 82 of the Civil Aviation Act, 2013 the Cabinet Secretary for Roads Transport and public works makes the following Regulations—	IN EXERCISE of powers conferred by section 82 of the Civil Aviation Act, 2013 the Cabinet Secretary for Roads and Transport makes the following Regulations—	Year change from 2022 to 2024
		IN EXERCISE of the powers conferred by section 82 of the Civil Aviation Act, 2013, the Cabinet Secretary responsible for Roads, Transport and public works makes the following Regulations—	IN EXERCISE of the powers conferred by section 82 of the Civil Aviation Act, 2013, the Cabinet Secretary for Roads and Transport makes the following Regulations	Change in the ministry responsible for aviation
		These Regulations may be cited as the Civil Aviation (<u>Construction Of Visual and Instrument Flight Procedures</u>) Regulations, 2022	These Regulations may be cited as the Civil Aviation (Construction Of Visual and Instrument Flight Procedures) Regulations, 2024	Year change from 2022 to 2024
	Interpretation	“ specified” means requirements by the Authority as contained in the Implementing standards, circulars, directives, orders, notices, aeronautical publications and any other documents issued by the Authority;	“ prescribed” means requirements by the Authority as contained in the Implementing standards, circulars, directives, orders, notices, aeronautical publications and any other documents issued by the Authority;	Specified changed to prescribed
	Citation	(1) These Regulations may be cited as the Civil Aviation (Construction of Visual and Instrument Flight Procedures) Regulations 2022	(1) These Regulations may be cited as the Civil Aviation (Construction of Visual	Year in citation changed from 2022 to 2024

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			and Instrument Flight Procedures) Regulations 2024.	
	Application	3. (1) These Regulations shall apply to a person or organizations providing flight procedure design services for civil aviation purposes in Kenya..	3. (1) These Regulations shall apply to a person or organizations providing flight procedure design services for Air Navigation purposes in Kenya.. (2) The design of procedures in accordance to the international Civil Aviation Organization Procedures for Air Navigation Services Aircraft Operations criteria assumes normal operations. (3) It is the responsibility of aircraft operator to provide contingency procedures for abnormal and emergency operations. (4) These regulations do not apply to a person or organization who is providing flight procedure design services to state aircraft within designated military airspace or airports.	
		New text added Ref (b) (iii)	(b) the services are provided in accordance with— (iii) the criteria prescribed by the Authority;	Missing text

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6	Flight procedure design operational requirements.	The flight procedures design service provider shall— (b) ensure that the designs of flight procedures are in accordance with— (ii) the criteria specified by the Authority;	The flight procedures design service provider shall— (b) ensure that the designs of flight procedures are in accordance with— (ii) the criteria prescribed by the Authority;	
	Flight procedure design service provider operations manual.	(2) The contents of the operations manual shall include the following— (a) the information required of the certificated flight procedure designs service provider as mentioned in these regulations and a description of the flight procedure design service provider's office that shows the role, responsibilities and job functions of the flight procedure design office personnel who are responsible for ensuring the compliance of the organization with the requirements in sub-paragraph (a). (b) Any other information relevant for the function's execution or required for inclusion by the Authority.	(2) The operations manual shall contain the information required in the Civil Aviation (Certification of Air Navigation Service Providers) Regulations and additionally include the following— (a) the information required in these regulations; (b) a description of the flight procedure design service provider's office that shows the role, responsibilities and job functions of the flight procedure design office personnel who are responsible for ensuring the compliance of the organization with the requirements in sub-paragraph (a). (c) Any other information relevant for the function's execution or required for inclusion by the Authority.	Missing text added

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11	Quality assurance.	New provision	(3) the quality assurance shall cover all the steps of the flight procedure from data origination to the publication of an instrument flight procedure including maintenance;	Missing text
12	Procedure design facility and resource requirements.	12 (1) A flight procedure design service provider shall provide and maintain adequate facilities for carrying on design work on flight procedures under the procedure design certificate, including— (a) providing premises and equipment appropriate for the design, design verification, flight validation and maintenance of applicable types of flight procedures;	(1) A flight procedure design service provider shall provide and maintain adequate facilities for carrying on design work on flight procedures under the procedure design certificate, including— (2) providing premises and equipment (including software) appropriate for the design, verification, validation, inspection and maintenance of flight procedures;	Clarification on the requirement
		(f) ensuring that flight procedure designers have access to all necessary data for designing the procedures— (iii) accurate and current aerodrome reference point and threshold survey data; and:	(f) ensuring that flight procedure designers have access to all necessary data for designing the procedures including but not limited to— (iii) accurate and current aerodrome survey data; and;	Clarification
		12 (2) (2) The flight procedure design service provider shall ensure that if an aeronautical database and aeronautical data are required for designing flight procedure under its certificate, have, and put into effect procedures to ensure the integrity of the database and the data.	12 (2) (2) The flight procedure design service provider shall ensure that if an aeronautical database and aeronautical data are required for designing flight procedure under its certificate, procedures	Paraphrasing for clarity

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			are put into effect to ensure the integrity of the database and the data.	
14	Flight procedure design (FPD).	(1) Flight procedures shall be designed in accordance with these Regulations, the criteria and procedures specified by the Authority.	(1) Flight procedures shall be designed in accordance with these Regulations, the criteria and any other procedures as may be specified by the Authority.	Clarification
		New	14 (3) The flight procedure design service provider shall ensure that— (b) provision is made for a person trained in flight procedure design to check and verify independently each flight procedure designed;	Missing requirement
		14(3) (b) published procedures are subject to periodic review at intervals not exceeding five years to ensure that they continue to comply with changing criteria and user requirements.	14(3) (c) published procedures are subject to periodic review at intervals not exceeding five years to ensure that they continue to comply with changing criteria, user requirements, – changes to obstacles, aerodrome, aeronautical and, navaid data and depiction standards;	Missing text

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		14(3) (c) (ee) modifications or amendments to existing procedures;	14(3) (d) (ee) reasons for any changes in cases of modifications or amendments to existing procedures;	Clarification
		(ff) for any deviation from existing standards, the reasons for such deviation and details of the mitigations applied to assure continued safe operations; and	(ff) reasons for any deviation from existing standards and details of the mitigations applied to assure continued safe operations; and	
14		New provision	(l) A flight procedure design service provider must ensure that a flight procedure covered by its approval does not use a ground-based radio-navigation aid other than one approved by the Authority.	Missing requirement
16	Approval of flight procedures.	16(3) For flight procedures designed by approved procedure designers independently outside the organization, submission of approval shall be in line with these Regulations.	16(3) (3) For flight procedures designed by approved procedure designers independently outside the approved flight procedure design service provider the submission of approval shall be in line with these Regulations.	Clarification
28	Appeals	New	A person aggrieved by any order made under these Regulations may, within twenty-one days of such order being made, appeal against the order to a court of law with competent jurisdiction.	Missing text