

MATRIX ON DRAFT CIVIL AVIATION (AMO) REGULATIONS 2022

No.	Reg. No.	Regulation Title	Stakeholder Comment	KCAA Comment	Final Regulation Text	Remarks if any
			Input from stakeholder	KCAA position on the stakeholder input (either accepted, rejected or partially accepted)	The final text	Justification for KCAA position
1.	4(4,5 &6)	Regulation 4 Sub-regulation (4,5) and (6), "(4) An AMO certificate shall contain the information as set out in the Second Schedule of these regulations. (5) The AMO Certificate shall be in a format prescribed in the Second Schedule of these regulations. (6)	The second schedule does not contain the information on AMO certificate, the format of the AMO certificate and Information on Scope of Approval.	Accepted	The second Schedule amended and inserted in the final draft	Nil

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		The Scope of Approval shall contain the information as set out in the Second Schedule of these regulations.”				
2.	8 (1)	8. (1) A certificate issued to an AMO shall be valid for a period of twelve months from the date of current issue or a shorter period specified by the Authority unless—	8(1) A certificate issued to an AMO shall be valid for a period of twenty-Four months (24) from the date of current issue or renewal unless a shorter period is specified by the Authority or:	Accepted	8. (1) A certificate issued to an AMO shall be valid for a period of twenty four (24) months from the date of current issue or a shorter period specified by the Authority unless—	Nil
3.	8 (3)	8 (3) An application for renewal of a maintenance organization approval certificate shall be made on a form prescribed	Recommends that an application for AMO renewal be made at least 30 days before the certificate expires.	Not Accepted	8 (3) An application for renewal of a maintenance organization approval certificate shall be made on a form prescribed by the Authority at least sixty days before the certificate expires.	The proposed timeline are for the Authority to plan and commit resources to the upcoming tasks.

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		by the Authority at least sixty days before the certificate expires.				
4.	8 (4)	(4) Where a request for renewal is made after the expiry of a maintenance organization approval certificate, the application procedure provided for in regulation 6 shall apply.	Reg. 8 (4) This regulation is punitive in nature as it doesn't consider reasons as to why the application was made after expiry. An application for renewal of an AMO certificate could be due to a Force majeure which had a direct impact on the certificate holder hence the application should be determined on a case by case basis without subjecting the applicant to fresh certification	Not Accepted	8 (4) Where a request for renewal is made after the expiry of a maintenance organization approval certificate, the application procedure provided for in regulation 6 shall apply.	Upheld original text.

5.	10(2)	10 (2) An AMO shall provide notification to the Authority for approval at least 30 days prior to effecting the changes on:	Reg. 10 – the timelines for notification should be reconsidered as circumstances for change vary for the different options provided. Can it be also looked at and synchronized with Reg 49 in the Airworthiness set. This regulation is punitive in nature as it doesn't consider that apart from change in the name of the AMO, additional locations of the organization and items of the AMO procedures manual the other changes as enumerated in 2 (a-g) are out of control of the AMO certificate holder hence the certificate holder. Hence a prescriptive penalty should not be imposed. The regulation should be worded as follows: 10 (2) An AMO shall provide notification to the Authority within 30	Accepted	(2) An AMO shall provide notification to the Authority for approval at least 30 days prior to effecting the changes on:	Deleted '30 days'
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			days of effecting such changes on: —			
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6.	10 (5)	(5) A maintenance organization approval certificate may be suspended by the Authority if changes in items under sub-regulation (2) have been made by the AMO without notifying the Authority.	10(5) Regulation is punitive as the AMO certificate holder is not in a position to predict some of the changes enumerated in regulation 10 (2) above	Not Accepted	(5) A maintenance organization approval certificate may be suspended by the Authority if changes in items under sub-regulation (2) have been made by the AMO without notifying the Authority.	Regulation 10 (2) amended by removing the timelines.
7.	13	13. (1) Except for functions that are contracted out, each Certificated AMO shall provide facilities, equipment, material, technical data, processes, housing, and trained personnel so	13. (1) Except for functions that are contracted out, each Certificated AMO shall demonstrate to the authority access to facilities, equipment, material, technical data, processes, housing, and trained personnel so that the scope of approval as appropriate to the class, rating or limitation held or applied for, can be performed as required.	Not Accepted	13. (1) Except for functions that are contracted out, each Certificated AMO shall provide facilities, equipment, material, technical data, processes, housing, and trained personnel so that the scope of approval as appropriate to the class, rating or limitation held or applied for, can be performed as required.	Original text upheld

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		that the scope of approval as appropriate to the class, rating or limitation held or applied for, can be performed as required.				
8.	17 (7)	17 (7) For ongoing maintenance of aircraft, aircraft hangars shall be available and large enough to accommodate and enclose the largest aircraft the AMO is rated for, during maintenance activities.17	17 (7) For ongoing maintenance of aircraft, aircraft hangars shall be available and large enough to accommodate and enclose at least 90 % of the largest aircraft the AMO is rated for, during maintenance activities”	Not Accepted	(7) For ongoing maintenance of aircraft, aircraft hangars shall be available and large enough to accommodate and enclose the largest aircraft the AMO is rated for, during maintenance activities.	Nil
2	18(8)	(8) Except as provided in sub-regulation (6), in the case of foreign manufactured tools, equipment	18 (8) Except as provided in sub-regulation (6), in the case of foreign manufactured tools, equipment and test equipment, the standard provided by the county	Accepted	(8) Except as provided in sub-regulation (6), in the case of foreign manufactured tools, equipment and test equipment, the standard provided by the country of	Nil

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		and test equipment, the standard provided by the county of manufacture may be used if approved by the Authority.	of manufacture may be used if approved accepted by the Authority.		manufacture may be used if accepted by the Authority.	
3	19(8)	Reg 19(8)	The Two years requirement for continuation training is not considerate to courses that have a longer recurrent period.	Accepted	19(8) The maintenance and certifying personnel shall receive continuation training biennially to ensure that such staff have up-to-date knowledge of relevant technology, change in standard of aircraft or aircraft component maintained, organizational procedure and human factor issues. Provided that where the manufacturer or training organization has provided a shorter or longer period, the time prescribed will be applicable.	Nil.

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4	21	AMO Regulation 21 {3-9[b]} Qualifications of HOB & HOL Maintenance (Managers)	Seven years' experience requirement for managers should be reduced to five (5) years.	Not Accepted	at least seven (7) years' experience in maintenance of operating aircraft in an approved organization.	Nil
5	21	Qualification of Key Management Personnel (7) The minimum qualifications for a Workshop Manager are— (a) A degree or diploma in engineering in that related field or a licensed aircraft maintenance engineer; (9) The minimum qualifications for a Quality Manager are— (a) Degree or	My Concern is that the only two positions that are left Mandatory to hold a license is Base & Line Managers. So it is possible for majority of key personnel in an AMO not to be licensed who will be overseeing work carried out by, Licensed engineers and mechanics. Putting Diplomas and Degrees at same level with licensed engineers will not only devalue the license but it will not be fare, this is because majority of licensed engineers have obtained diplomas or	Partially Accepted	(7) The minimum qualifications for a Workshop Manager are— (a) A degree or diploma in engineering in that related field or a licensed aircraft maintenance engineer; (2) The minimum qualifications for a Quality Manager are— (a) a licensed maintenance engineer; (b) Degree or diploma in aeronautical engineering	The Workshop does not require a licensed personnel to release items from the shop. This justifies the removal of license requirement to the Workshop Manager. The requirement of AMEL for the Quality Manager has been retained in the final draft.

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		diploma in aeronautical engineering or AMEL holder;	Degrees besides having the licenses. I don't think the amended text is accommodating industry best practice as suggested From the Gap indicated in Matrix for Draft AMO Regulations 2022 Regulation 21 (7)(a),(9)(a),and (11)(a) as' improved qualification' moving to ' Degree or diploma in engineering in that related field or a licensed aircraft maintenance engineer' from 2018 Regulations which required Head of Workshop and Head of Quality to be licensed aircraft Engineer appears ambiguous because the assessment of an AMEL is wide touching all aspects of			

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			Airworthiness and safety of aircraft more than Degree or Diploma in aeronautical engineering and that's why even for one to be CAA Airworthiness Inspector ,you are required to have qualification of AMEL and Ratings yet you are not releasing an aircraft to service for the entire period that you will work at the CAA and the same should reflect on Quality Manager, Workshop Manager and Safety Manager .For Aviation industry in Kenya to grow and improve safety ,we need to maintain minimum standards of qualification of postholders to have basic aircraft Maintenance Engineers Licence in addition to relevant trainings as applicable to the position being held.			

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6	21(11)	Regulation 21 Sub Regulation (11) "The minimum qualifications for the Safety Manager are"	I Recommend addition of a requirement for Safety Management Training.	Accepted	Reg 21 (11) (d) must have successfully completed a training on safety management systems in an institution recognized in Kenya;	Nil
7	24(7)	24 (7) All maintenance and certifying personnel of the AMO shall receive sufficient continuous training in each two year period to ensure that such staff have up-to-date knowledge of relevant technology, change in standard of aircraft or aircraft component maintained, organizational	To include EWIS (Electrical wiring and Interconnecting Systems) and FTS (Fuel Tank Safety) in the training that are mandatory.	Not Accepted	24 (7) All maintenance and certifying personnel of the AMO shall receive sufficient continuous training in each two year period to ensure that such staff have up-to-date knowledge of relevant technology, change in standard of aircraft or aircraft component maintained, organizational procedure and human factor issues.	These specific trainings are not mandatory for all types of aircraft. It will be punitive for operators of aircraft that it does not apply.

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		procedure and human factor issues.				
8.	33 (12)		33 (12) – the reference ‘attachment B to this chapter’ needs clarification.	Accepted, ‘attachment B to this chapter’ deleted and replaced with ‘by the Authority’	(12) Where a Maintenance release is issued in electronic form, it shall be acceptable to the Authority and shall satisfy the criteria set out by the Authority. The electronic maintenance release form should be accessible in “edit mode” only at the location where the maintenance release is being issued. Access to the document from any other location should be “read only”..	Nil
9.	35(1)	35. (1) (a) An AMO shall have airworthiness data appropriate as to support the maintenance work performed on the aircraft, engines, component and specialized services from the Authority,	35 (1) (a) An AMO shall have access to airworthiness data appropriate as to support the maintenance work performed on the aircraft, engines, component and specialized services from the Authority, the design organisation or any other approved design organisation in the State	Accepted	35 (1) (a) An AMO shall have access to airworthiness data appropriate as to support the maintenance work performed on the aircraft, engines, component and specialized services from the Authority, the design organisation or any other approved design organisation in the State of	Nil

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		the design organisation or any other approved design organisation in the State of Manufacture or State of Design, as appropriate.	of Manufacture or State of Design, as appropriate.		Manufacture or State of Design, as appropriate.	
10.	39 (2)	39 (2) An application for exemption shall be submitted not less than sixty days before the proposed effective date, to obtain timely review.	39 (2) – The prescription of timelines especially such like “not less than sixty days” adds no value to the procedure. It is even considered one-sided when the timelines for the result of application is not prescribed.	Not Accepted	39 (2) An application for exemption shall be submitted not less than sixty days before the proposed effective date, to obtain timely review.	Timelines are critical to the Authority especially for planning purposes.
11.	50 (2)	50. (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	50 (2) – Like in Reg. 10 above, the inferred enforcement action is prohibitive and certainly not proportionate to the infringement.	Not Accepted	50. (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 authorization.	Nil

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		privileges of the certificate or authorization.				
12.	56(3)	(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.	Reg. 56 (3) – The provisions of this sub-regulation are unreasonable and tantamount to regulating unfair practices, especially when an application has been withdrawn before it has been reviewed. This and other provisions for payment are administrative and need not be included in regulations.	Not Accepted	56 (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.	Nil
13.	60	60. A person aggrieved with the decision of the Authority under these Regulations may within twenty one days of such decision appeal to the Tribunal.	Reg. 60 – Appeals to the tribunal. Why is there a limitation of 21 days within which to appeal? There are various cases that would necessitate an appeal for review and this limitation would not apply to any threshold.	Not accepted	60. A person aggrieved with the decision of the Authority under these Regulations may within twenty one days of such decision appeal to the Tribunal.	Nil