



MINISTRY OF ROADS AND TRANSPORT

EXPLANATORY MEMORANDUM TO THE CIVIL AVIATION (APPROVED MAINTENANCE ORGANISATION) REGULATIONS 2025

Name of the statutory instrument	Kenya Gazette Supplement No. Legislative Supplement No.
Name of the Parent Act	The Civil Aviation Act (CAP 394)
Enacted Pursuant to	Section 82
Name of the Ministry	Ministry of Roads and Transport
Gazetted on	, 2025
Tabled on	

1. Purpose of the Statutory Instrument

The purpose of the instrument is to provide the regulatory framework to facilitate the safe, controlled and regulated managed of aircraft maintenance organisations to ensure proper aircraft maintenance for safety of Kenyan registered aircraft whenever they operate.

It provides guidelines for the certification and oversight of aircraft maintenance organisations that are involved in maintaining Kenyan registered and operated aircraft.

2. Legislative Context

Management of aircraft maintenance organisations is critical in ensuring that aircraft registered and operated by Kenyan air operators for the safety of air transport upon which the confidence of the travelling public is based.

The International Civil Aviation Organization (ICAO) has published an Annex 8 to the Convention on International Civil Aviation which provides international Standards and Recommended Practices (SARPs) as a basis for Contracting States for the management of safety.

Kenya as a signatory of the Chicago Convention and a member of ICAO has undertaken to comply with these SARPs by ensuring their effective implementation within the Kenyan aviation industry as is its obligation under Article 37 to the Convention. To fulfil this obligation, enactment of the personnel licensing regulations is critical to ensure compliance with ICAO requirements.

3. Policy Background

The purpose of the Civil Aviation Act is to ensure “control, regulation and orderly development of civil aviation in Kenya”. The Act establishes the Kenya Civil Aviation Authority (KCAA) whose object and purpose is to economically and efficiently plan, develop and manage civil aviation.

Approved maintenance organisations are authorized to provide aircraft maintenance that leads to the release of aircraft to service. The regulation on approved maintenance organisations therefore provides a framework for the regulation of maintenance organisations to ensure that they meet established procedure under international protocols for a safe air transport system. The requirements for approved maintenance organisations are established by the International Civil Aviation Organization (ICAO) and published in Annex 6 to the Convention as Standards and Recommended Practices (SARPs).

Kenya as a signatory of the Chicago Convention and a member of ICAO has undertaken to comply with these SARPs by ensuring their effective implementation within the Kenyan aviation industry as is its obligation under Article 37 to the

Convention. To fulfil this obligation, passing the Approved Maintenance Organisation regulations is critical to ensure compliance with ICAO requirements.

4. Consultation Outcome

In the development of the Approved Maintenance Organisation regulations stakeholder engagement meetings were held on various dates as follows:

- a) Stakeholder Engagement - Virtual Session (14th to 18th June 2021 at the Four Points Hotel, Nairobi);
- b) Stakeholder Engagement - 14th and 15th February 2022 at the Ole Sereni Hotel, Nairobi; and
- c) Stakeholder Validation Engagements (6th to 8th May 2024 and 12th to 14th June 2024 at the Panari Hotel, Nairobi).

The list of attendees and the report of the consultations is attached as Appendix 1.

5. Regulatory Impact Assessment

A regulatory impact assessment was prepared in respect of this statutory instrument. The Ministry received an expert opinion from the Kenya Law Reform Commission confirming that the regulatory impact statement and assessment were adequate and conformed with the Statutory Instruments Act.

6. Monitoring and review

As part of the KCAA mandate provided for under the Civil Aviation Act, KCAA shall be responsible for ensuring the effective implementation of the personnel licensing regulations.

7. Contact

The contact person in respect of this statutory instrument is:

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