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 COMMITTEE  
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**MINISTRY OF ROADS AND TRANSPORT  
 STATE DEPARTMENT FOR TRANSPORT**

**EXPLANATORY MEMORANDUM TO THE CIVIL AVIATION  
 (AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION)  
 REGULATIONS, 2024**

**PART I**

**Name of the Statutory Instrument** : The Civil Aviation (Aircraft Accident and Incident Investigation) Regulations, 2024.

**Name of the Parent Act** : The Civil Aviation Act CAP 394.

**Enacted Pursuant to** : Section 82 of the Civil Aviation Act, CAP 394 Laws of Kenya.

**Name of the Ministry/Department** : Ministry of Roads and Transport (State Department for Transport)

**Gazetted on** : 17<sup>th</sup> January 2025

**Tabled on** : .....

**PART II**

**1. Purpose of the Statutory Instrument to: -**

- i. Enhance the legal framework for the promotion of aviation safety in Kenya.
- ii. Create a robust and effective approach to the management of safety, including the adoption of best practices in the functional areas of regulation as well as in the conduct of aircraft accident investigations.

- iii. Promote a coordinated approach to the formulation, timely and accessible publication of Reports and implementation of safety recommendations after investigations.
- iv. Improve the percentage Level of Effective Implementation (EI) for the State as required by the International Civil Aviation Organization (ICAO)
- v. Promote the sharing of expertise, experience and information among the aviation stakeholders within Kenya.
- vi. Augment the submission of any differences to the Chicago Convention, any Annex to the Convention relating to international Standards and Recommended Practices and any amendment thereto, or other international conventions and protocols, relating to civil aviation that Kenya is party to.
- vii. Develop and strengthen cooperation among stakeholders locally and internationally on matters of aircraft accident and incident investigation.
- viii. Promote the establishment of an independent aircraft accident and incident investigation department as provided for under the ICAO Standards and Recommended Practices.( ICAO SARPS)
- ix. Enable follow-up with aviation oversight authority and air operators for the implementation of safety recommendations.

## **2. Legislative Context**

Section 82 of the Civil Aviation Act CAP 394 provides powers for the Cabinet Secretary for Roads and Transport to make regulations . To fulfil the object and purpose of that requirement, the regulations cited as the Civil Aviation (Aircraft Accident and Incident Investigation) Regulations, 2024 are duly proposed.

The Civil Aviation (Aircraft Accident and Incident Investigation) Regulations, 2024 domesticates the review of the provisions of Annex 13 (Aircraft Accident and Incident Investigation) to the Convention on International Civil Aviation to which Kenya is a signatory. The review of the Civil Aviation (Aircraft Accident and Incident Investigation) Regulations, 2018 will ensure that whilst Kenya remains

compliant with ICAO requirements and addresses the ICAO Universal Safety Oversight Audit Programme – Continuous Monitoring Approach (USOAP-CMA) audit findings, and that the regulations are also consistent with other Kenya legislation and requirements relating to aviation safety.

The 2024 Regulations have made amendments to the 2018 Regulations and updated a number of definitions and references to bring them in line with the Civil Aviation Act, CAP 394 laws of Kenya.

### **3. Policy Background**

3.1 The Government of Kenya through Aircraft Accident Investigation Department (AAID) which is domiciled within the Ministry of Roads and Transport has the mandate to institute an inquiry into the circumstances of the accident and incidents, in accordance, with the procedure that is outlined in ICAO Annex 13 and the applicable SARPs.

3.2 The mandate is a state function, obligated by the ICAO Convention on International Aviation to which Kenya is a signatory. AAID is Kenya's national aircraft accident investigation agency. The department investigates aircraft accidents and incidents per ICAO Annex 13 to the Convention on International Aviation.

3.3 The Integrated National Transport Policy and Sessional Paper No.2 of 2012, page 75 clause 218 requires the Cabinet Secretary to develop regulations governing accident investigations in accordance with Annex 13 to the ICAO Convention and establish a mechanism for ensuring regular amendments to keep abreast of international standards and practices.

### **4. Consultation outcome**

4.1 AAID formally subjected the reviewed Civil Aviation (Aircraft Accident and Incident Investigation) Regulations, 2024 to consultation and stakeholders' participation through electronic media, written submissions and public forums. The copy of the proposed Regulations, 2024 was made available to the stakeholders in

hard copies and soft copies through Ministry of Roads and Transport website (www.transport.go.ke).

4.2 In line with Section 5(2) (a) of the Statutory Instruments Act and as part of the consultative process in the development of the Regulations 2024, AAID invited the Kenya Civil Aviation Authority (KCAA) and the Kenya Association of Air Operators (KAAO) to give their inputs on the proposed Regulations, given that they are key stakeholders and have practical knowledge. The industry regulator the KCAA is supportive of the reviews made. KCAA indicated that the review will aid AAID develop the Corrective Action Plans (CAPs) required by ICAO USOAP-CAM findings and that this amendment will also aid air operators in implementing their regulatory requirements in this area.

4.3 A stakeholder's participation and validation forum was conducted on 3<sup>rd</sup> October 2024 at Panari Hotel, in Nairobi. The participants were taken through the reviewed regulations and were allowed to submit their views, concerns and proposals which were validated. The industry is generally supportive of the proposals and is of the view that the amendment of the 2024 Regulations is a positive step and that this amendment will work to the advantage of all stakeholders.

**A detailed report on the consultation and public participation exercise is hereby annexed to this memorandum as Annex 1.**

4.4 The Civil Aviation (Aircraft Accident and Incident Investigation) Regulations, 2024 were subsequently published in the Kenya Gazette (Legal Notice. 005 of 2025) on 17<sup>th</sup> January 2025

4.5 The advertisement, as well as a sample of the comments and input received from stakeholders, is attached as **Appendix A on the report.**

## **5. Guidance**

5.1 AAID has been in constant engagement with KCAA and the KAAO and will continue to do so to ensure that the necessary technical support and advice is provided to ensure the proper implementation of the Regulations as part of the State Safety Oversight System/Programme.

## **6. Impact**

6.1 The amendment shall have no fundamental effect on the rights and freedoms.

6.2 The amendment will enhance public confidence and improve the safety of air transportation in Kenya.

## **7. Monitoring and review**

7.1 The success criteria of these Regulations will be measured by the performance of Kenya in the ICAO USOAP-CMA Level of effective implementation (EI).

## **8. Contact**

8.1 The contact person shall be Fredrick Kabunge, the Acting Chief Investigator, Aircraft Accident Investigation Department, State Department for Transport, Ministry of Roads and Transport,. [fredrick.kabunge@transport.go.ke](mailto:fredrick.kabunge@transport.go.ke) Tel: - 0721653503.

# THE REPUBLIC OF KENYA



REPUBLIC OF KENYA

## MINISTRY OF ROADS AND TRANSPORT

### REPORT ON THE CONSULTATION UNDERTAKEN, STAKEHOLDERS PARTICIPATION AND VALIDATION EXERCISE OF THE CIVIL AVIATION (AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION) REGULATIONS, 2024

#### STATE DEPARTMENT FOR TRANSPORT

PAPERS LAID	
DATE	12/2/2025
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## 1. ACRONYMS

<b>AAID</b>	-	Aircraft Accident Investigation Department
<b>AFRAA</b>	-	Africa Airlines Association
<b>CMA</b>	-	Continuous Monitoring Approach
<b>EI</b>	-	Effective Implementation
<b>KAAO</b>	-	Kenya Association Airline Operators
<b>KCAA</b>	-	Kenya Civil Aviation Authority
<b>ICAO</b>	-	International Civil Aviation Organization
<b>MOT</b>	-	Ministry of Transport
<b>SDOT</b>	-	State Department for Transport
<b>SARPs</b>	-	Standard and Recommended Practices
<b>USOAP</b>	-	Universal Safety Oversight Audit Programme

## 2. EXECUTIVE SUMMARY

Aircraft Accident Investigation is a state function, obligated by the International Civil Aviation Organization Convention to which Kenya is a signatory. The Aircraft Accident Investigation Department (AAID) is Kenya's national aircraft accident investigation agency. The department investigates aircraft accidents and incidents in Kenya involving both local and foreign aircraft in accordance with Annex 13 to the Convention on International Civil Aviation (ICAO). The AAID also participates in overseas investigations of accidents and serious incidents involving Kenyan aircraft, operators or citizens.

Consultations were undertaken with KCAA and KAAO through letters seeking their input on the proposed Regulations, given that they are key stakeholders and have practical knowledge of the industry. The industry regulator the KCAA is supportive of the amendment being made; they believe that this will fully help AAID develop the corrective action plans required by ICAO USOAP findings and that this amendment will also aid operators in implementing their regulatory requirements in this area.

The AAID noted that the stakeholder participation and validation conference was key to fulfilling the international obligation entrusted to Kenya, a responsibility that goes beyond national borders and is essential for advancing a country's national interests.

When promulgated, the regulations will instill more confidence among passengers, airlines, and other stakeholders, aligning Kenya's aviation industry with international best practices, ultimately, creating a reliable and trustworthy aviation environment, supporting the country's growth and connectivity.

### **3. METHODOLOGY AND THE CONDUCT OF THE CONSULTATION AND PUBLIC PARTICIPATION**

The public participation notices and invitations to attend the forum were made through newspaper advertisements, letters, emails, phone calls and personal visits.

*(See Appendix a, b, c, d, e, f.)*

### **4. OUTLINE OF THE RESULTS OF THE CONSULTATION**

In line with Section 5(2) (a) of the Statutory Instruments Act and as part of the consultative process in the development of the Regulations 2024, the Aircraft Accident Investigation Department invited the Kenya Civil Aviation Authority (KCAA) and the Kenya Association of Air Operators (KAAO) to give their inputs on the proposed Regulations, given that they are key stakeholders and have practical knowledge. The industry regulator the KCAA is supportive of the amendment being made; they believe that this will fully help AAID develop the corrective action plans required by ICAO USOAP findings and that this amendment will also aid operators in implementing their regulatory requirements in this area.

A stakeholder participation and validation forum were conducted on the 3<sup>rd</sup> of October 2024 at Panari Hotel, in Nairobi. The participants were taken through the reviewed regulations and were allowed to submit their views, concerns and proposals which were validated. The industry is generally supportive of the proposals and is of the view that the amendment of the 2024 Regulations is a positive step and that this amendment will work to the advantage of all stakeholders.

#### **4.1 The Kenya Civil Aviation Authority**

The Kenya Civil Aviation Authority as a key stakeholder acknowledged the request reviewed the Regulations and submitted the feedback in a matrix herein attached. The specific regulations reviewed majored on the amendments 16, 17, 18 and 19 to Annex 13 of the Convention on International Civil Aviation to which Kenya is a signatory *(See Appendix g)*.

#### **4.2 The Kenya Association of Air Operators**

There were no significant observations from the aviation industry save for minor typographical which were noted and adjusted as necessary (**See Appendix h**).

#### **4.3 The Diaspora Family Group**

Diaspora Family Group submitted comments to the effect:

- I. The Aircraft Accident Investigation Department retains the appointment powers of accident investigators to avert individual appointments of investigators thus reducing the risk of accident report manipulation;
- II. Proposed the inclusion of stringent requirements for pilot training and certification due to the critical role of pilot competency in aviation safety. The Group proposed the inclusion of a clause requiring continuous pilot training programs including simulation exercises for emergency scenarios to ensure pilots are competent;
- III. Proposed the inclusion of a clause that establishes a framework for timely and accurate updates regarding accidents thus mitigating misinformation;
- IV. Proposed the involvement of a wider range of stakeholders in the development of regulations.

**(See Appendix j)**

#### **4.4 The Nakuru Public Opinion Consultative Initiative**

The members of the Nakuru Public Opinion Consultative Initiative submitted comments and recommended to the Ministry to conduct public participation and National Validation of the Regulations considering special opinion groups.

The following were the key inputs-:

- I. Recommended the conduct of immediate and thorough investigations in particular of Military and State aircraft;
- II. Proposed that accredited Representatives and advisers uphold integrity and secrecy at all times to ensure that investigations are not biased and compromised;
- III. Proposed that the Tribunal established by the Regulations to publish its Rules of Procedure to members of the Public;

**(See Appendix k)**

## 5. PUBLIC PARTICIPATION AND PROGRAM

Pursuant to Article 10(2) (a) of the Constitution of Kenya and Section 5 of the Statutory Instruments Act Cap 2A Laws of Kenya, The Ministry of Roads and Transport through the State Department of Transport invited the stakeholders in the aviation sector on the draft regulations on 3<sup>rd</sup> October 2024 at Panari Hotel.

**VENUE: Panari Hotel Nairobi**

**DATE: 3<sup>rd</sup> October 2024**

TIME		ACTIVITY		RESPONSIBILITY	
0830	0900	Arrival & Registration		Aircraft Accident Investigation Department	
0900	1030	Opening Session:	1. National Anthem	Master of Ceremony	
			2. Opening Prayer		
			- Introductory Remarks		Ag. Director AAID
			- Opening Remarks		Chairman KCAA Board of Directors
		- Set the scene for the Stakeholder and Validation Engagement	MOT Senior State Council		
1130	1145	HEALTH BREAK			
1145	1200	Session 1	<ul style="list-style-type: none"> <li>Presentation of the Civil Aviation (Aircraft Accident and Incident Investigation) Regulations, 2024</li> </ul>	Representative, Aircraft Accident Investigation Department	
1200	1215	- Stakeholder Comments		Ag. Aircraft Accident Investigation Department	
1215	1230	Session 2	<ul style="list-style-type: none"> <li>Presentation of the Civil Aviation (Aircraft Accident and Incident Investigation) Regulations, 2024</li> </ul>	Representative, Aircraft Accident Investigation Department	
1230	1245	- Stakeholder Comments		MOT Senior State Council	
1245	1300	- Way Forward		Ag. Aircraft Accident Investigation Department	
1300	1400	HEALTH BREAK			
1400	1415	- Set the scene for the Stakeholder Engagement		Ag. Director, Aircraft Accident Investigation Department	
1415	1500	Session 3	<ul style="list-style-type: none"> <li>Presentation of the Civil Aviation (Aircraft Accident and Incident Investigation) Regulations, 2024</li> </ul>	Investigator, Aircraft Accident Investigation Department	
1500	1545	- Stakeholder Comments		MOT Senior State Council	
1545	1600	- Way Forward		Ag. Director, Aircraft Accident Investigation Department	

## 6. OBJECTIVES OF THE PUBLIC PARTICIPATION

The objective of the public participation was to:

- a) Get stakeholder views on the Regulations and prepare a comprehensive stakeholder analysis of the Regulations;
- b) To promote transparency and accountability in decision-making;
- c) Enhance public awareness and understanding of governance processes in the aviation industry;
- d) Promote community ownership of public decisions; and promote public participation and collaboration in governance processes.

For public participation, stakeholders are those organizations, sectors, groups of individuals, individuals and any member of the general public who either benefit from or are affected by the decisions or interested in the decisions or have positive or negative impacts on construction, operation, development or overall utilisation of aviation services.

*(See Appendix I: Photo of Participants during registration)*

## 7. STAKEHOLDER PARTICIPATION AND COMMENTS AT THE FORUM

Aviation Stakeholders submitted comments on the Regulations. Key input submitted include:

### 7.1. The Africa Airlines Association (AFRAA)

- i. Proposed the inclusion of a clause mandating Kenya Civil Aviation Authority to regulate hot air balloons;
- ii. Proposed the Authority considers contracting out its regulatory mandate on drafting regulations on recreational flying or considers drafting regulations on recreational flying;
- iii. Proposed the inclusion of a clause demonstrating adequate autonomy of the AAID; consider drafting regulations on AAID.

*(See Appendix j)*

## **7.2. The Association of Aeronautical Students in Kenya**

The Association proposed:

- i. The inclusion of a clause on promoting aviation research and innovation;
- ii. Proposed the drafting of guidelines on collaboration with universities offering aerospace engineering and aviation spaces;
- iii. Include a provision on mandatory obligation on operators to offer internships and attachments to students undertaking aviation-oriented courses during application for aviation licenses and certificates.

**(See Appendix k)**

## **8. SUMMARY OF THE CHANGES IN THE REGULATIONS**

**Part I: Preliminary Provisions** - the short title of the Regulations, the interpretation of the various technical words used in the Regulations and the Application of the Regulations.

All the relevant definitions were amended in line with the requirements of Annex 13 to the Convention on International Civil Aviation Organization.

**Part II: Provisions on investigations** - Independence of investigations, Investigation and procedures Manual policies and procedures, Protection of Evidence, custody and removal of aircraft, Delegation of power by the Chief Investigator, Obligation to investigate, Notification and reporting of accidents and incidents, Action to be taken on receipt of notification, Parties to the investigation, Accredited representatives, advisers, experts from Contracting States, Observers and participants, Appointment of accredited representative, adviser and expert by the Aircraft Accident Investigation Department, Powers of investigators and advisers, Form and conduct of investigations, Assistance to survivors and families, Flight recorders, Removal of damaged aircraft, Autopsy examinations, Investigation reports, Release of the final report, Publication of reports, Safety recommendations, Accident and Incident Database, Reopening of investigation, Exchange of information on accidents and incidents, Coordination with judicial authorities, Coordination with other institutions, Conflict of interest.

Provisions were amended and reworded to align with the stakeholder's comments, observations including written memoranda which were relevant to the Standards and Recommended Practices (SARPs) and the Amendments 16, 17, 18 and 19 to Annex 13

**Part III: General Provisions** - Obstruction of investigation, non-disclosure of records, Release and disposal of aircraft and wreckage, Return and disposal of records, Penalties, Revocation and savings.

**Part IV: First Schedule** - Format of the Final Report.

**Part XII: Second Schedule** - Contents of the initial notification.

The text in the Second Schedule was changed to align with the Amendment 17 to the Annex 13.

**PART XIII: Third Schedule** - Reportable Aircraft Accidents and Serious Incidents.

## **9. KEY RECOMMENDATIONS**

To simplify the process of completing the compliance checklist as mandated by ICAO, the KCAA recommended that AAID consider reorganizing the draft regulations to align with Annex 13.

## **10. CONCLUSIONS**

### **10.1 Stakeholder support**

There is strong support for the aviation industry which can be used for mass movement of goods (imports & exports) and passengers locally and regionally.

The stakeholders believe that the timing is right for the aviation sector to restore its glory and ensure efficiency in the aviation sector.



**MINISTRY OF ROADS AND TRANSPORT  
STATE DEPARTMENT FOR TRANSPORT**

**CALL FOR COMMENTS AND INVITATION FOR STAKEHOLDERS  
VALIDATION ON THE PROPOSED CIVIL AVIATION (AIRCRAFT ACCIDENT  
AND INCIDENT INVESTIGATION) REGULATIONS, 2024**

The Ministry of Roads and Transport through the State Department for Transport has undertaken a comprehensive review of the Civil Aviation Act (Cap. 394) and developed the draft Civil Aviation (Aircraft Accident and Incident Investigation) Regulations, 2024.

**PURSUANT** to Article 10 (2) of the Constitution and Section 5 of the Statutory Instruments Act (Cap 2A), the stakeholders and members of the public are hereby invited to submit their comments, views, or written memoranda on the draft Regulations within 21 days of publication of this notice.

The draft Regulations can be accessed through <https://www.transport.go.ke/index.php/publications>.

The comments, views, or any written memoranda regarding the draft Regulations may be submitted to the **Principal Secretary, State Department for Transport, 8<sup>th</sup> Floor, Transcom House, Ngong Road P.O. Box 52692-00200, Nairobi** or emailed to [aaidregulations@transport.go.ke](mailto:aaidregulations@transport.go.ke) to be received on or before 21<sup>st</sup> September, 2024.

**FURTHER**, the Ministry of Roads and Transport invites all stakeholders to participate in the engagement meeting on the draft Regulations, scheduled for Thursday, 3<sup>rd</sup> October 2024, at Panari Hotel.

**Ministry of Roads and Transport  
8<sup>th</sup> Floor, Transcom House, Ngong Road  
P.O. Box 52692-00200, Nairobi**

*Appendix a: Call for comments and invitation for Stakeholders validation.*



MINISTRY OF ROADS AND TRANSPORT

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**CALL FOR COMMENTS AND INVITATION FOR STAKEHOLDERS VALIDATION ON THE PROPOSED CIVIL AVIATION (AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION) REGULATIONS, 2024**

The Ministry of Roads and Transport, State Department for Transport, has undertaken a Comprehensive Review of Civil Aviation (Aircraft Accident and Incident Investigation) Regulations, 2024 in line with the Civil Aviation Act (Cap 39)

**PURSUANT** to Article 10 (2) of the Constitution and Section 5 of the Instruments Act (Cap 2A), the stakeholders and members of the public are invited to submit their comments, views, or written memoranda regarding the draft Regulations within 21 Days of publication of this notice.

The draft Regulations can be accessed through: <https://www.mtrk.go.ke/index.php/publications>

The comments, views, or any written memoranda regarding the draft Regulations may be submitted to the **Principal Secretary, State Department for Transport, 8<sup>th</sup> Floor, Transcom House, Ngong Road P.O. Box 52692-00200, Nairobi** or emailed to: [caidregulations@transport.go.ke](mailto:caidregulations@transport.go.ke) to be received on or before 2<sup>nd</sup> October 2024.

03  
OCTOBER

**CALL FOR COMMENTS AND INVITATION FOR STAKEHOLDERS VALIDATION ON THE PROPOSED CIVIL AVIATION (AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION) REGULATIONS, 2024**

- Panari Hotel

**Appendix b: Call for comments and invitation for participation on the Ministry of Roads and Transport website.**



**MINISTRY OF ROADS AND TRANSPORT**  
**STATE DEPARTMENT FOR TRANSPORT**

Telegram "TRANSCOMS" Nairobi  
Telephone: (020) 2722216  
Email: [ps@transport.go.ke](mailto:ps@transport.go.ke)  
Website: [www.transport.go.ke](http://www.transport.go.ke)  
When replying please quote

TRANSCOM BUILDING  
NGONG ROAD  
P.O. Box 52592 00100  
NAIROBI

**MOT & I/AAID/INV/ACT&REGS/03 VOL.1 (48)**

**19<sup>th</sup> September 2024**

**The National Civil Aviation Administration Review Tribunal  
NAIROBI.**

Dear Sir/Madam


**STAKEHOLDERS ENGAGEMENT ON THE PROPOSED CIVIL AVIATION  
(AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION) REGULATIONS, 2024**

Reference is made to the call for comments and invitation for stakeholders' validation on the proposed Civil Aviation (Aircraft Accident and Incident Investigation) Regulations, 2024 as required by Article 10 (2) of the Constitution and Section 5 of the Statutory Instruments Act (Cap 2A).

The Aircraft Accident Investigation Department (AAID) will conduct a stakeholder's engagement on the proposed Civil aviation (Aircraft Accident and Incident Investigation) Regulations, 2024 on 3<sup>rd</sup> October 2024 at Panari Hotel.

As our key stakeholder, we invite you to make comments on the draft regulations available on Ministry's website through <https://www.transport.go.ke/index.php/publications> and to attend the above engagement.

Yours Sincerely,

  
N. F. RODO

*Appendix c: Consultation with the National Civil Aviation Review Tribunal*



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**MINISTRY OF ROADS AND TRANSPORT**  
**STATE DEPARTMENT FOR TRANSPORT**  
**AIRCRAFT ACCIDENT INVESTIGATION**

**INTERNAL MEMO**

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**TO :** All HODs  
**FROM :** Ag. DIRECTOR - AIRCRAFT ACCIDENT INVESTIGATION  
**REF :** MOT&I/AAID/INV/ACT&REGS/03 VOL.1 (46)  
**DATE :** 16<sup>TH</sup> SEPTEMBER 2024

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**STAKEHOLDERS ENGAGEMENT ON THE PROPOSED CIVIL AVIATION  
(AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION) REGULATIONS, 2024**

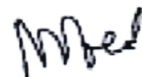
Reference is made to the above;

The Aircraft Accident Investigation Department (AAID) will conduct a stakeholder's engagement on the proposed Civil aviation (Aircraft Accident and Incident Investigation) Regulations, 2024 on 3<sup>rd</sup> October 2024 at Panan Hotel.

The purpose of this memo is to invite your comments and views on the proposed regulations which can be accessed through <https://www.transport.gov.la/index.php/publications> as internal stakeholders and nominate officers to attend.

  
**N.E. BODO**

COM TO PS

  
17/9/24

*Appendix d: Internal Consultation with the Members of Staff within the Ministry*



MINISTRY OF ROADS & TRANSPORT  
STATE DEPARTMENT OF TRANSPORT

Telegram "Transpora" Nairobi  
Telephone: (020) 2729200  
Email info@transport.go.ke

Transport BUILDING  
HARODING ROAD  
P.O. Box 62692 . 00100

MOT & TAAID/ACT&REGS/03 VOL.1/001/1(43)

5<sup>th</sup> July 2024

Liz Aluvanzo  
Chief Executive Officer  
Kenya Association of Air Operators  
NAIROBI.

Dear *CEO,*

STAKEHOLDER CONSULTATION OF THE CIVIL AVIATION (AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION) REGULATIONS, 2024

Reference is made to the above and the draft regulations (attached).

The Aircraft Accident Investigation Department in the State Department for Transport, Ministry of Roads and Transport has reviewed its regulations in line with the latest Amendments of Annex 13 to the Convention on International Civil Aviation. As our key stakeholder, we invite you to provide comments by 19<sup>th</sup> July 2024 on the draft regulations, in the format below.

No.	Regulation No.	Provision	Comment	Rationale
1.				

Please send an advance soft copy of comments to [brenda.mwango@transport.go.ke](mailto:brenda.mwango@transport.go.ke) copy [director@transport.go.ke](mailto:director@transport.go.ke).

We have also attached the Approved AAID Policy and Procedures Manual for your review and comments.

Yours *sincerely*

Nicholas Budo

Ag. Director

Aircraft Accident Investigation Department.

FOR: PRINCIPAL SECRETARY.

Appendix e: Consultation with the Kenya Association of Air Operators



MINISTRY OF ROADS & TRANSPORT  
STATE DEPARTMENT OF TRANSPORT

Telegram: "Transcoms" Nairobi  
Telephone: (020) 2729200  
Email: info@transport.go.ke

TRANSPORT BUILDING  
HODDING ROAD  
P.O. Box 90092 - 00100

MOT & I/AAID/ACT&REGS/03 VOL.1/001/1(43)

5<sup>th</sup> July 2024

Mr. Emile Arao  
Director General  
Kenya Civil Aviation Authority  
P O Box 30163-00100  
NAIROBI

Dear *bcy*,

**STAKEHOLDER CONSULTATION OF THE CIVIL AVIATION (AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION) REGULATIONS, 2024**

Reference is made to the above and the draft regulations (attached).

The Aircraft Accident Investigation Department in the State Department for Transport, Ministry of Roads and Transport has reviewed its regulations in line with the latest Amendments of Annex 13 to the Convention on International Civil Aviation. As our key stakeholder, we invite you to provide comments by 18<sup>th</sup> July 2024 on the draft regulations, in the format below.

No.	Regulation No	Provision	Comment	Rationale
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Please send an advance soft copy of comments to [brenda.mwangi@transport.go.ke](mailto:brenda.mwangi@transport.go.ke) copy [directoraii@transport.go.ke](mailto:directoraii@transport.go.ke).

We have also attached the Approved AAID Policy and Procedures Manual for your review and comments.

Yours *sincerely*

Nicholas Budo  
Ag. Director  
Aircraft Accident Investigation Department.  
FOR: PRINCIPAL SECRETARY.

**Appendix f: Consultation with the Kenya Civil Aviation Authority (The Industry Regulator)**

55

KCAA/ASSR/GEN/2002Q/29(112)

30 July 2024

**Mr. Nicholas Bodo**  
Ag. Director  
Aircraft Accident Investigation Department  
State Department of Transport  
P.O Box 52692-00100  
**NAIROBI**



Dear Sir,

**SUBJECT: STAKEHOLDER CONSULTATION OF THE CIVIL AVIATION (AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION) REGULATIONS, 2024**

We acknowledge the receipt of your correspondence with reference to I/AAID/ACT&REGS/03 VOL.1/001/1(43) dated 5 July 2024.

The Authority has reviewed the draft Civil Aviation (Aircraft Accident and Incident Investigation) Regulations 2024 and submit our feedback in the enclosed copy. We recommend that the Aircraft Accident Investigation Department continue organizing the draft regulations sequentially to align with Annex 13, thereby expediting the process of completing the compliance checklist as mandated by ICAO.

Please accept, Sir, the assurance of my highest consideration.

Yours Faithfully,

*Emile N. Arao*  
**Emile N. Arao**  
**DIRECTOR GENERAL**

*Noted & action being taken.  
Ag. D/AA I  
1/5/24*

*BU I  
on file  
Ag. D/AA I  
1/5/24*

*Ken Bodo  
deceased  
as deceased  
KAA/AA I  
1/5/24*

(51)

# KENYA ASSOCIATION OF AIR OPERATORS

**CHAIRMAN:**  
MR. MUIVA NGINZI  
**CHIEF EXECUTIVE OFFICER:**  
EIZ ALUVANZI



P.O. BOX 27592 - 00505  
NAIROBI  
KENYA

KAAO/29  
22<sup>nd</sup> July 2024

Principal Secretary  
Ministry of Roads & Transport  
P.O. Box 52692-00502  
NAIROBI

Att.: Mr. Nicholas Budo

Dear Mohammed Daghat,

**STAKEHOLDER CONSULTATION OF THE CIVIL AVIATION (AIR ACCIDENT & INCIDENTS INVESTIGATIONS) REGULATIONS, 2024**

Ref: Your letter MOT & I/AAID/ACT & REGS/03 VOL. 1/001/1 (43) dated 5<sup>th</sup> July 2024

Thank you for your letter at reference requesting for industry's observations on the Draft Civil Aviation (Air Accident & Incidents Investigations) Regulations, 2024.

After review of the Draft Regulations by our members, we can report that there were no significant observations made save for a few typographical errors which are hereby attached for your reference.

We remain available should you require further consultations.

Kindly acknowledge.

Yours Faithfully,

  
**EIZ ALUVANZE**  
**CHIEF EXECUTIVE OFFICER**

*Action taken  
Ag. D/AAI  
30/7/24*



Tel.: 0742667856, E-mail: admin@kaao.co.ke / Website: www.kaao.co.ke

Address :- P.O Box 09-60607  
Contact Us Via:-0790 088 400  
0718 437 057  
0717 804 068  
diasporafamilygroup@gmail.com



Ref: DFG06/20/VOL34/24,  
23<sup>RD</sup> OF SEPTEMBER 2024

The Principal Secretary, State Department for Transport,  
8<sup>th</sup> Floor,  
Transcom House, Ngong Road,  
P.O. Box 52691-00200,  
Nairobi

**SUBJECT: PUBLIC VIEWS ON THE NEW AVIATION ACCIDENT REGULATION 2024.**

Dear Sir,

We are writing to share our thoughts on the proposed Aviation Accident Regulation 2024. As an avid supporter of aviation safety and an engaged member of the aviation community, we believe it is crucial to address several key aspects of the regulation.

1. **Safety Enhancements:** The primary objective of any aviation regulation should be to enhance safety for passengers and crew. We commend the proposed measures aimed at improving accident investigation protocols and ensuring timely reporting. However, we urge the regulatory body to consider retaining the appointing authority of accident investigator to the Aircraft Accident Investigation Department to minimize individualising appointment of such critical person thus reducing the risk of accident reporting/reports manipulation. (Regulation 2, interpretations).

We therefore propose the new text should read, "accredited representative" means a gazetted aircraft accident investigator designated by the Aircraft Accident Investigation Department, on the basis of his or her qualifications, for the purpose of participating in an investigation conducted by another State; and not "accredited representative" means a gazetted aircraft accident investigator designated by the Cabinet Secretary, on the basis of his or her qualifications, for the purpose of participating in an investigation conducted by another State; as contained in your new regulations. The appoint powers should not be donated to the cabinet secretary.

2. **Pilot Training and Certification:** Given the critical role that pilot competency plays in aviation safety, I recommend that the regulation incorporate more stringent requirements for pilot training and certification. Continuous training programs, including simulation exercises for emergency scenarios, should be mandated to ensure that pilots are well-prepared for any situation.
3. **Public Communication:** Transparency is essential in maintaining public trust. The regulation should outline clear guidelines for how information regarding accidents will be communicated to the public. Establishing a framework for timely and accurate updates will help mitigate misinformation and reassure passengers.
4. **Involvement of Stakeholders:** I encourage the regulatory body to involve a wider range of stakeholders in the development of these regulations, including airline representatives, safety experts, and passenger advocacy groups. Their insights can provide valuable perspectives that enhance the effectiveness of the regulation.
5. **Implementation Timeliness:** It is crucial to provide a realistic timeline for the implementation of these new regulations. Adequate time for airlines and stakeholders to adjust to new requirements will help ensure compliance and, ultimately, better safety outcomes.

We appreciate the opportunity to contribute to this important discussion and look forward to seeing how these regulations will evolve to promote a safer aviation environment. We also commit to be part of the engagement meeting on the draft regulations on the communicated dates. Thank you for considering our views.

Signed,  
  
R. Muthamia  
Executive Director, Diaspora Family Group.  
raphaelmuthamia5@gmail.com, phn no. 0712804068

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"Because You Are Worth it, Get it From Us" ●●● ●●

Appendix j: Response from the Diaspora Family Group

9/16/24, 5:38 PM

Government of Kenya Email System

Subject: RECOMMENDATIONS ON PROPOSED CIVIL AVIATION (ACCIDENT & INCIDENT ) REGULATIONS 2024

From: coco cyber <cococyber788@gmail.com>

To: aaidregulations@transport.go.ke <aaidregulations@transport.go.ke>

Cc: ps@transport.go.ke <ps@transport.go.ke>

Date: Saturday September 14, 2024 11:47:45 PM

Attn:

You may have a look at our DRAFT RECOMMENDATIONS

Final and signed copy will be presented after plenary submissions during the National Validation Meeting

Further, please note of the following:

- We want the Validation Meeting to be hosted at BARABARA AUDITORIUM as per government directive. N/B We were at KICC on Monday for the Launch of Budget 2025/2026 Planning Meeting
- Five Nakuru County residents will attend the Validation Meeting.
- All the five ACTIVELY participated in the E-Mobility and Kenya Railways Bill forums which had been convened by the Ministry in Nakuru City
- The organiser to factor transport reimbursement for participants coming from outside Nairobi

Thank you

DANIEL MURUGU  
NAKURU CITY  
C/O 0720988086

Attachments

RECOMMENDATION ON PROPOSED CIVIL AVIATION (ACCIDENTS & INCIDENT INVESTIGATION) REGULATIONS 2024.doc (31.2 kB)

**RECOMMENDATIONS ON THE PROPOSED CIVIL AVIATION  
(AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION)  
REGULATIONS, 2024**

*Nakuru County Public Opinion Consultative Initiative, NO-POCI, is a respected and trusted not for profit public watchdog organization with a keen interest in all governance issues including policy formulation, implementation and review in Kenya*

*We wish to make the following recommendations to enrich this policy documents guided by the clear provisions of Kenya Constitution 2010 on Public Participation of Kenya Constitution 2010*

*From the onset, we further wish to confirm to the **Ministry of Roads and Transport** that we have collectively and individually read and perused this policy document so as to objectively and rationally inform our well thought recommendations, suggestions, proposals, reservations and observations..*

*We thus want to recommend on specific procedural issues of our concern on this progressive policy document as follows:*

**PART – PRELIMINARY**

*We wholly concur and are agreeable to the provisions of this section on **Citation, Interpretations and Application***

*However, on Citation we have purposed to insert **Kenya** before Civil.*

**PART 11 - INVESTIGATIONS**

**REGULATION 6 (2)**

*We propose to add;*

*(f) Securing the accident area in a collaborative approach with other agencies*

**REGULATION 10 (2)**

*We recommend immediate and thorough investigations in particular to **Military and State Aircrafts** going by what has happened in Kenya over the last thirty (30) years*

***SUB-REGULATION (9),***

*We want all public notices to be placed in two newspapers with widest circulation in Kenya thus **The Daily Nation and The Standard.***

***SUB -REGULATION (13),***

*We recommend **MAY** to be replaced by **SHALL***

***REGULATION 14 (2) –***

*We recommend provision of this section to encompass and factor **Witness Protection** as regard Kenyans willing to share information relating to accidents.*

***In SUB- REGULATIONS (5),***

*We want the **Advisers and Accredited Representatives** cited in this section to uphold values on integrity and secrecy and at all times ensure they are not compromised to sway or sabotage the investigations*

***REGULATION 17 (3) (f)***

*We recommend searches referenced in this section to be regulated as to take place on official working days.*

*In the extreme circumstances the Investigator- In- Charge to apply for Court Orders to conduct the searches.*

***SUB – REGULATION (7)***

*We have resolved to recommend that the Tribunal cited in this areas to furnish all **Kenya Aircraft Owners, Manufacturers, Crews etc.** with its **Rules of Procedure.***

***REGULATION 19 (1)***

*We have purposed to add*

***(d) Recommend for their compensation where applicable***

**REGULATION 22**

*We want this section to be explicit on the pathologist fees*

**REGULATION 24 (1)**

*We recommend the time duration be capped at six (6) months*

**REGULATIONS 34 (1)**

*We prefer non-technical information cited in this section to be partially shared to especially the next kin and other concerned relatives.*

**REGULATION 37 (2)**

*We recommend the fine and jail sentencing captured in this section be reduced by half (1/2)*

**REGULATION 38 (1)**

*We have no objection whatsoever to the revocation cited in this section*

**CONCLUSION**

*We recommend the Ministry of Roads and Transport for subjecting these Regulations for mandatory Public Participation and National Validation*

*Signed in Nakuru City today 13/09/2024*

*Daniel Murugu*

*Secretary*

**NAKURU COUNTY PUBLIC OPINION CONSULTATIVE INITIATIVE**

**Appendix k: Response from the Nakuru County Public Opinion Consultative Initiative**



**Appendix I: Photo of Stakeholders' Registration**



*Appendix m: Participants during the stakeholder engagement and validation exercise at Panari Hotel*



*Appendix n: Participants during the stakeholder engagement and validation exercise at Panari Hotel*



*Appendix p: Stakeholders during the stakeholder engagement and validation exercise at Panari Hotel*

**CIVIL AVIATION (AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION) REGULATIONS, 2024  
AMENDMENT MATRIX**

Regulation	Title	Text	Deficiency	New Text	Remarks	
1	Regulation 2	Interpretation	" <b>accredited representative</b> " means a person designated by the Aircraft Accident Investigation Department, on the basis of his or her qualifications, for the purpose of participating in an investigation conducted by another State;	Inconsistency with the standard definition in Annex 13 (Chapter 1)	" <b>accredited representative</b> " means a gazetted aircraft accident investigator designated by the Cabinet Secretary, on the basis of his or her qualifications, for the purpose of participating in an investigation conducted by another State;	Amendment by including the word "a gazetted" (Amendment 17 to A13)
2	Regulation 2	Interpretation	N/A	New standard definition in Annex 13 (Chapter 1 Amendment 19)	<b>C2 Link.</b> The data link between the remotely piloted aircraft and the remote pilot station for the purposes of managing the flight.	Definition inserted (Amendment 19 to A13)
3	Regulation 2	Interpretation	N/A	Inconsistency with the standard definition in Annex 13 (Chapter 1)	<b>Operator.</b> A person, organization or enterprise engaged in or offering to engage in an aircraft operation.  Note.— In the context of remotely piloted aircraft, an aircraft operation refers to the operation of an RPAS.	Amendment by including the "note" in the definition of Operator in Amendment 19 to A13
4	Regulation 2	Interpretation	" <b>safety recommendation of global concern</b> " means a safety recommendation made to a State civil aviation authority, to a regional certification authority, or to ICAO regarding a systemic deficiency having a probability of recurrence with potential for significant consequences and requiring timely action to improve safety;	Inconsistency with the standard definition in Annex 13 (Chapter 1)	" <b>safety recommendation of global concern</b> " means a safety recommendation made to a State civil aviation authority, to a regional certification authority, or to ICAO regarding a systemic deficiency having a probability of recurrence with potential for significant consequences at <b>a global level</b> , and requiring timely action to improve safety;	Amendment by including the word "at a global level" (Amendment 17 to A13)

	<b>Regulation</b>	<b>Title</b>	<b>Text</b>	<b>Deficiency</b>	<b>New Text</b>	<b>Remarks</b>
5	Regulation 2	Interpretation	" <b>State of Manufacture</b> " means the State having jurisdiction over the organization responsible for the final assembly of the aircraft, engine or propeller;	Inconsistency with the standard definition in Annex 13 (Chapter 1 Amendment 19)	" <b>State of Manufacture</b> " means the State having jurisdiction over the organization responsible for the final assembly of the aircraft, <b>remote pilot station</b> , engine or propeller;	The text "remote pilot station" inserted (Amendment 19 to A13)
6	Regulation 2	Interpretation	N/A	New standard definition in Annex 13 (Chapter 1 Amendment 19)	"remote pilot station" means the component of the remotely piloted aircraft system containing the equipment used to pilot the remotely piloted aircraft;	The definition of "remote pilot station" inserted (Amendment 19 to A13)
7	Regulation 2	Interpretation	N/A	New standard definition in Annex 13 (Chapter 1 Amendment 19)	"Remotely piloted aircraft system (RPAS)" means a remotely piloted aircraft, its associated remote pilot station(s), the required C2 Link(s) and any other components as specified in the type design.	The definition of "remotely piloted aircraft system (RPAS)" inserted (Amendment 19 to A13)

	<b>Regulation</b>	<b>Title</b>	<b>Text</b>	<b>Deficiency</b>	<b>New Text</b>	<b>Remarks</b>
8	Regulation 3	Applicability	3. (1) These Regulations shall apply to activities following accidents and incidents arising out of or in the course of air navigation which occur to any civil aircraft in or over Kenya, or elsewhere to aircraft registered in Kenya.	Inconsistency with Annex 13	3. (1) These Regulations shall apply to activities following accidents and serious incidents in Kenya involving; a) Manned aircraft or <b>b) Remotely Piloted Aircraft (RPA)</b>	New text for consistency with Annex 13  inclusion of Amendment 19 to A13 on unmanned aircraft (applicability 26 Nov. 2026)

	<b>Regulation</b>	<b>Title</b>	<b>Text</b>	<b>Deficiency</b>	<b>New Text</b>	<b>Remarks</b>
9	Regulation 4	Objective of investigation.	<p>(3) Kenya shall ensure that any investigations conducted under these Regulations have unrestricted access to all evidential material without delay.</p> <p>(4) An investigation shall include</p> <p>(a) the gathering, recording and analysis of all relevant information and evidence on the accident or incident;</p> <p>(b) if appropriate, the issuance of safety recommendations;</p> <p>(c) if possible, the determination of the causes or contributing factors;</p> <p>(d) in the case of an accident or serious incident, the compilation of the final report; and</p> <p>(e) the protection of certain accident and incident investigation records.</p> <p>(5) The format of the final report shall be as specified in the First Schedule to these Regulations, provided that it may be adapted to the circumstances of the accident or incident.</p> <p>(6) Where feasible, the scene of the accident shall be visited, the wreckage examined and statements taken from witnesses.</p> <p>(7) The extent of the investigation and the procedure to be followed in carrying out such an investigation shall be determined by the Aircraft Accident Investigation Department depending on the lessons it expects to draw from</p>	Sub regulation 3,4,5,6,& 7 is inconsistent with the title	Retain sub-regulation 1 & 2 only under the title Objective of Investigation	Sub regulation 3,4,5,6, & 7 accommodated under New Regulation – Investigations and procedures

Regulation	Title	Text	Deficiency	New Text	Remarks
		<p>the investigations for the improvement of safety.</p>			

	<b>Regulation</b>	<b>Title</b>	<b>Text</b>	<b>Deficiency</b>	<b>New Text</b>	<b>Remarks</b>
10	New Regulation 5	Independence of Investigations	N/A	N/A	There is established Aircraft Accident Investigation Department that is independent from the Authority and any other entity that could interfere with the conduct or objectivity of an investigation.	Complied with Annex 13

	<b>Regulation</b>	<b>Title</b>	<b>Text</b>	<b>Deficiency</b>	<b>New Text</b>	<b>Remarks</b>
11	Regulation 6	Delegation of power by the Chief Investigator.	(2) The Chief Investigator shall appoint an Investigator-In-Charge for the organization, conduct and control of an investigation into a specific accident or incident.	AAID does not conduct investigation of incidents	(2) The Chief Investigator shall appoint an Investigator-In-Charge for the organization, conduct and control of an investigation into a specific accident or serious incident.	Amended to address the overlap of responsibility as pointed out by USOAP audit  <b>Now Regulation 9</b>

	Regulation	Title	Text	Deficiency	New Text	Remarks
11	Regulation 7	Obligation to Investigate	<p>7. (1) Subject to sub-regulation (7), the Aircraft Accident Investigation Department shall institute an investigation into an accident or serious incident and be responsible for its conduct in the following circumstances—</p> <p>(a) where the accident or serious incident occurs in the Kenya;</p> <p>(b) where the accident or serious incident occurs in any NonContracting State which does not intend to carry out an investigation in accordance with Annex 13 and involves a Kenya aircraft or an aircraft operated by a Kenya operator or aircraft designed or manufactured in Kenya: Provided that the Aircraft Accident Investigation Department shall endeavour to institute and conduct the investigation in cooperation with the State of Occurrence, but failing such cooperation should itself conduct an investigation with such information as is available;</p> <p>(c) where the accident or serious incident involves a Kenya aircraft or an aircraft operated by a Kenya operator and the investigation has been delegated to Kenya by another Contracting State by mutual arrangement and consent;</p> <p>(d) where the accident or serious incident occurs in a location which cannot be definitely established as</p>	Inconsistency with the standard provision in Annex 13 (Chapter 1)	<p><b>7.</b> (1) Subject to sub-regulation (7), the Aircraft Accident Investigation Department shall institute an investigation into an accident or serious incident and be responsible for its conduct in the following circumstances—</p> <p>7(1)(e) Where the State of Occurrence does not institute and conduct an investigation and does not delegate the investigation to another State or a regional accident and incident investigation organization, and Kenya is the State of Registry or the State of the Operator, the Aircraft Accident Investigation Department is entitled to request in writing the State of Occurrence to delegate the conducting of such investigation.</p> <p><b>If the State of Occurrence gives express consent or does not reply to such a request within 30 days, Kenya shall institute and conduct the investigation with such information as is available.</b></p>	<p>Amend to include the highlighted text 'sub-section e and f that was missing in the 2018 Regulations</p> <p>Sections a, b, c, d remains unchanged</p> <p><b>Now regulation 10 (e, f)</b></p> <p><i>Consistency with the recommendation 5.1.3 in Annex 13,</i></p>

	Regulation	Title	Text	Deficiency	New Text	Remarks
			being in the territory of any State and involves a Kenya aircraft.			

	<b>Regulation</b>	<b>Title</b>	<b>Text</b>	<b>Deficiency</b>	<b>New Text</b>	<b>Remarks</b>
12	Regulation 7	Obligation to investigate.	(2) In the event of an accident or incident involving a civilian aircraft and a military or State aircraft, investigation shall be conducted in accordance with the provisions of these Regulations, with the military or the State being a party to the investigation.	AAID does not conduct investigation of incidents	(2) In the event of an accident or serious incident involving a civilian aircraft and a military or State aircraft, investigation shall be conducted in accordance with the provisions of these Regulations, with the military or the State being a party to the investigation.	Amended to address the overlap of responsibility as pointed out by USOAP audit.  <b><i>Now regulation 10 (2)</i></b>

	<b>Regulation</b>	<b>Title</b>	<b>Text</b>	<b>Deficiency</b>	<b>New Text</b>	<b>Remarks</b>
13	Regulation 7	Obligation to investigate.	(3) The Chief Investigator may when he expects to draw air safety lessons from it, cause an investigation to be carried out into an incident which occurs — (a) in Kenya; or (b) outside Kenya involving a Kenya aircraft or an aircraft operated by a Kenya operator.	(a) is a repetition of Regulation 3  (b) is not consistent with Annex 13	N/A	The sub regulation deleted in regulation 7 and captured in regulation 13 (3)

	<b>Regulation</b>	<b>Title</b>	<b>Text</b>	<b>Deficiency</b>	<b>New Text</b>	<b>Remarks</b>
14	Regulation 7 (Sub-regulation 7)	Obligation to Investigate (delegation of whole and partial investigation)	(7) The Aircraft Accident Investigation Department may delegate the whole of an investigation into an accident or serious incident to another State or to a regional accident and incident investigation organization by the formal agreement and such State or Regional Accident Investigation Organization shall be responsible for the conduct of the investigation, including the issuance of the final report and the ADREP reporting.	Clarity	<p>The Aircraft Accident Investigation Department may delegate the whole of an investigation into an accident or serious incident to another State, to a regional accident and incident investigation organization by formal agreement. Such State or Regional Accident Investigation Organization shall be responsible for the conduct of the investigation, including the issuance of the Final Report and the ADREP reporting.</p> <p>Where AAID delegates any part of an investigation into an accident or serious incident to another State, to a regional accident and incident investigation organization by mutual arrangement and consent, the Aircraft Accident Investigation Department shall be responsible for the conduct of the investigation, including the issuance of the Final Report and the ADREP reporting.</p>	<p>Amendment to regulation 7(7) of the AAID regulations</p> <p>The word to a department deleted. (re-worded for clarity)</p> <p><b>Now Regulation 10 (7)</b></p>

	<b>Regulation</b>	<b>Title</b>	<b>Text</b>	<b>Deficiency</b>	<b>New Text</b>	<b>Remarks</b>
15	Regulation 7 (14)	Obligation to investigate (Unmanned Aircraft, UA)	Re-Draft	Transpose the new standard into the Regulations	(14) Notwithstanding regulation 7, the Aircraft Accident Investigation Department may institute an investigation involving unmanned aircraft where an accident or serious incident occurs in Kenya and be responsible for its conduct.  Proposed text to be inserted in Regulation 3	New Draft inserted to comply with Amendment 19 to A13 (applicability 26 Nov 2026)  <b>Now Regulation 10 (13)</b>

	Regulation	Title	Text	Deficiency	New Text	Remarks
16	Regulation 8	Notifications and reporting of accidents and incidents	Text not included in the provision	New provisions in annex 13	<p>(10) In the event Kenya is the State of Occurrence, the Air Accident Investigation Department shall forward notification of an accident, a serious incident, or an incident to be investigated with a minimum of delay and by the most suitable and quickest means available to—</p> <ul style="list-style-type: none"> <li>(a) the State of Registry;</li> <li>(b) the State of the Operator;</li> <li>(c) the State of Design</li> <li>(d) the State of Manufacture; and</li> <li>(e) the International Civil Aviation Organization, when the aircraft involved is of a maximum mass of over 2250 kg or is a turbojet-powered aeroplane.</li> </ul> <p>(11) Where Kenya is the State of Registry or the State of Operator and is aware of the occurrence of the incident and the State of Occurrence is not aware of the incident to be investigated, as appropriate, the Air Accident Investigation Department shall forward notification of such a serious incident or an incident to the State of Occurrence, State of design and state of manufacture with a minimum of delay and by the most suitable and quickest means of communication available, forward a notification of the accident or serious incident</p>	<p>The text is inserted to align with the provision in Amendment 17 to A 13</p> <p>Concern:</p> <p>Practicality of implementation of this regulation in relation to incidents</p> <p>Annex 13 - 4.1</p> <p><b>Now regulation 11 (10)</b></p>

	Regulation	Title	Text	Deficiency	New Text	Remarks
					containing the information referred to in the Second Schedule as may be available .	
17	Regulation 9 (1)	Action to be taken on receipt of notification	with a minimum of delay and by the most suitable and quickest means of communication available, forward a notification of the accident or serious incident containing the information referred to in the First Schedule as may be available	Drafting clarity	with a minimum of delay and by the most suitable and quickest means of communication available, forward a notification of the accident or serious incident containing the information referred to in the Second Schedule as may be available	Amended to refer to the second schedule  Initial reference was to the first schedule which is Format of the Final Report instead of second schedule which is Contents of the Initial Notification

	Regulation	Title	Text	Deficiency	New Text	Remarks
						<b>Now regulation 12 (1)</b>
18	Regulation 11 (Sub-regulation 9)	Accredited representatives, advisors and experts from Contracting States	(9) Where Kenya is the State conducting the investigation and other states participating in the investigation have appointed accredited representative(s) or adviser(s) who intend to travel to Kenya, the Aircraft Accident Investigation Department shall endeavour to facilitate their entry	Inconsistency with the standard definition in Annex 13 – (as well as their equipment with a minimum of delay)	(8) Where Kenya is the State conducting the investigation and other states participating in the investigation have appointed accredited representative(s) or adviser(s) who intend to travel to Kenya, the Aircraft Accident Investigation Department shall endeavour to facilitate their entry as well as their equipment with a minimum of delay.	The provision amended to include the spirit of the recommendation in <i>Note -2</i>  AAID to develop MOUs with the Immigration and Customs Department for quick facilitation. - (Facilitation of the entry of investigators in amendment 17 to A 13) <b>Now regulation 14 (8)</b>
19	Regulation 11 (Sub-regulation 4)	Accredited representatives, advisors and experts from Contracting States	(4) A Contracting State which has a special interest in an accident by virtue of fatalities or serious injuries to its citizens shall, upon request to the Investigator-In-	Inconsistency with the standard text in Annex 13 –	(4) A Contracting State which has a special interest in an accident by virtue of fatalities or serious injuries to its citizens shall, upon request to the Investigator-In-Charge, be	The sub-regulation is reworded to eliminate the word participate

	Regulation	Title	Text	Deficiency	New Text	Remarks
			Charge, be entitled to appoint an expert to participate in the investigation.	(Remove Participate)	entitled to appoint an expert who shall be entitled to—	and sub-regulation 5 and the numbering amended.  <b>Now regulation 14 (4)</b>
20	Regulation 17	Investigation Reports	N/A	Text Missing	(3) Notwithstanding regulation 17(1), the Aircraft Accident Investigation Department shall release information early in the investigation, as appropriate, and then later more formally with a written Preliminary Report.	New sub-regulation inserted (3) to align to Amendment 19 to A13 and re-numbering done (Applicability 28 November 2024)  <b>Now regulation 23 (3)</b>
21	Regulation 17	Investigation Reports	(17)(7b) if any such comments are received within 60 days of the date of the transmittal letter or such longer period as may be agreed upon, amend the draft Final Report to include the substance of the comments received, as deemed appropriate or, if desired by the Contracting State that provided the comments, append the comments to the Final Report;	Text deleted	(17)(7b) if any such comments are received within the consultation period, 60 days of the date of the transmittal letter or such longer period as may be agreed upon, amend the draft Final Report to include the substance of the comments received, as deemed appropriate or, if desired by the Contracting State that provided the comments, append the comments to the Final Report;	Delete the text "60 days of the date of the transmittal letter"  Amendment 19 to A13 (Applicability 28 November 2024)  <b>Now regulation 23 (7) (b)</b>
22	Regulation 20	Incident Reporting Systems.	20. (1) There shall be established by the Aircraft Accident Investigation Department— a mandatory incident reporting system to facilitate the collection of information on actual or potential safety deficiencies; and	Inconsistency with Annex 13	Deletion of the regulation	Establishment of a Mandatory & Voluntary system is NOT a requirement under Annex 13.

	Regulation	Title	Text	Deficiency	New Text	Remarks
			a voluntary incident reporting system to facilitate the collection of information that may not be captured by a mandatory incident reporting system.			NOTE: Amendment 14 of Annex 13  Deleted
23	Regulation 21	Accident and Incident Database	21. (1) the Aircraft Accident Investigation Department shall establish and maintain an accident and incident database to facilitate the effective analysis of information on actual or potential safety deficiencies and to determine any preventive actions required:  Provided the accident and incident database established may be included as part of the safety database established and maintained by the Aircraft Accident Investigation Department	Clarity on text	Provided the accident and incident database established may be included as part of the safety database established and maintained by the State Safety Programme	Note to Annex 13 section 8.2 recommendation  Maintained by the State Safety Programme instead of Aircraft Accident Investigation Department  <b>Now regulation 27 (1)</b>
24	Regulation 22	Safety Recommendations	Text not included in the provision	New provisions in annex 13	26(2)-Subject to sub-regulation 1 the AAID may consult States participating in the investigation on the draft safety recommendations, inviting their comments on the appropriateness and effectiveness of the safety recommendations.	The guideline included as per Amendment 17 to A 13 and numbering changed  <b>Now regulation 26 (2)</b>
25	Regulation 25	Flight Recorders	Text not included in the provision	Difference in character	(5) Subject to regulation 20, the Aircraft Accident Investigation shall make available any data from a flight recorder of an aircraft involved in an accident or incident without delay, and provide the State conducting the investigation	The text provision is replaced  (Amendment 19 to A13)

	Regulation	Title	Text	Deficiency	New Text	Remarks
					with all such data available, and not divulge such data without the express consent of the State conducting the investigation.	<b>Now regulation 20 (5)</b>
26	Regulation 30	Coordination with other departments.	30. (1) The Aircraft Accident Investigation Department shall take all reasonable measures to ensure that the investigation procedures and practices that it follows in relation to aircraft accidents and incidents are compatible to the degree possible with investigation requirements, procedures and practices followed by other departments, regulatory authorities, police forces and coroners.	Reference to Department could cause confusion.	N/A	Consider appropriateness of the sub-regulation  See Regulation 31
27	Regulation 32 Sub regulation 4	Conflicts of interest.	(4) The Aircraft Accident Investigation Department, experts assigned to participate in an investigation being conducted by the Aircraft Accident Investigation Department shall not be engaged in any duties associated with the civil aviation authority for the duration of their involvement in the investigation.	Experts assigned to conduct investigations could be from the Civil Aviation Authority or industry.	(4) The Aircraft Accident Investigation experts and advisers assigned to participate in an investigation being conducted by the Aircraft Accident Investigation Department shall not be engaged in any duties that present a conflict of interest for the duration of their involvement in the investigation.	Re-worded for clarity for use of the word adviser as per Reg. 14 (5)  <b>Now Regulation 32 (1)</b>
28	Regulation 33	Non-disclosure of records.	33. (1) The Aircraft Accident Investigation Department shall not make the following records available for purposes other than accident or incident investigation, unless a court of competent	Difference in character as per text in Annex 13 5.12.5	34 (5) States shall take measures to ensure that audio content of cockpit voice recordings as well as image and audio	Reg 34 (5) Included to provide for Consistency with A13 5.12.5

	Regulation	Title	Text	Deficiency	New Text	Remarks
			jurisdiction or the Tribunal, in accordance with national laws, determines that their disclosure or use outweighs the likely adverse domestic and international impact such action may have on that or any future investigations— (a) cockpit voice recordings and airborne image and audio recordings and any transcripts from such recordings;		content of airborne image recordings are not disclosed to the public.	<b>Now Regulation 34 (5)</b>
29	Second Schedule	Contents of the Initial Notification	in the case of an accident, the identifying abbreviation "ACCID" or, in the case of a serious incident, the identifying abbreviation "INCID";		in the case of an accident, the identifying abbreviation "ACCID" or, in the case of a serious incident, the identifying abbreviation "SINCID"; for incidents "INCID"	Text changed to align with Amendment 17 to A13  See Second Schedule

**RECOMMENDATIONS ON THE PROPOSED CIVIL AVIATION  
(AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION)  
REGULATIONS, 2024**

*Nakuru County Public Opinion Consultative Initiative, **NO-POCI**, is a respected and trusted not for profit public watchdog organization with a keen interest in all governance issues including policy formulation, implementation and review in Kenya*

*We wish to make the following recommendations to enrich this policy documents guided by the clear provisions of Kenya Constitution 2010 on Public Participation of Kenya Constitution 2010*

*From the onset, we further wish to confirm to the **Ministry of Roads and Transport** that we have collectively and individually read and perused this policy document so as to objectively and rationally inform our well thought **recommendations, suggestions, proposals, reservations and observations..***

*We thus want to recommend on specific procedural issues of our concern on this progressive policy document as follows;*

**PART – PRELIMINARY**

*We wholly concur and are agreeable to the provisions of this section on **Citation, Interpretations and Application***

*However, on Citation we have purposed to insert **Kenya** before Civil.*

**PART 11 - INVESTIGATIONS**

**REGULATION 6 (2)**

*We propose to add;*

*(f) –**Securing the accident area** in a collaborative approach with other agencies*

**REGULATION 10 (2)**

*We recommend immediate and thorough investigations in particular to **Military and State Aircrafts** going by what has happened in Kenya over the last thirty (30) years*

***SUB -REGULATION (9),***

*We want all public notices to be placed in two newspapers with widest circulation in Kenya thus **The Daily Nation** and **The Standard**.*

***SUB -REGULATION (13),***

*We recommend **MAY** to be replaced by **SHALL***

***REGULATION 14 (2) –***

*We recommend provision of this section to encompass and factor **Witness Protection** as regard Kenyans willing to share information relating to accidents.*

***In SUB- REGULATIONS (5),***

*We want the **Advisers and Accredited Representatives** cited in this section to uphold **values on integrity and secrecy** and at all times ensure they are not **compromised** to sway or sabotage the investigations*

***REGULATION 17 (3) (f)***

*We recommend **searches** referenced in this section to be regulated as to take place on official working days.*

*In the extreme circumstances the Investigator- In- Charge to apply for Court Orders to conduct the searches.*

***SUB – REGULATION (7)***

*We have resolved to recommend that the Tribunal cited in this areas to furnish all **Kenya Aircraft Owners, Manufacturers, Crews etc.** with its **Rules of Procedure**.*

***REGULATION 19 (1)***

*We have purposed to add*

***(d) Recommend for their compensation where applicable***

**REGULATION 22**

*We want this section to be explicit on the pathologist fees*

**REGULATION 24 (1)**

*We recommend the time duration be capped at **six (6) months***

**REGULATIONS 34 (1)**

*We prefer non- technical information cited in this section to be partially shared to especially **the next kin and other concerned relatives.***

**REGULATION 37 (2)**

*We recommend the **fine and jail sentencing** captured in this section be reduced by **half (1/2)***

**REGULATION 38 (1)**

*We have no objection whatsoever to the **revocation** cited in this section*

**CONCLUSION**

*We recommend the Ministry of Roads and Transport for subjecting these Regulations for mandatory Public Participation and National Validation*

**Signed in Nakuru City today 13/ 09 /2024**

*Daniel Murugu*

*Secretary*

**NAKURU COUNTY PUBLIC OPINION CONSULTATIVE INITIATIVE**



efficiently managing air safety

# KENYA CIVIL AVIATION AUTHORITY

KCAA/ASSR/GEN/2002Q/29(112)

30 July 2024

**Mr. Nicholas Bodo**  
Ag. Director  
Aircraft Accident Investigation Department  
State Department of Transport  
P.O Box 52692-00100  
**NAIROBI**



Dear Sir,

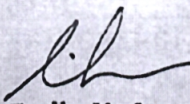
**SUBJECT: STAKEHOLDER CONSULTATION OF THE CIVIL AVIATION (AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION) REGULATIONS, 2024**

We acknowledge the receipt of your correspondence with reference: MOT & I/AAID/ACT&REGS/03 VOL.1/001/1(43) dated 5 July 2024.

The Authority has reviewed the draft Civil Aviation (Aircraft Accident and Incident Investigation) Regulations 2024 and submit our feedback in the enclosed matrix. We recommend that the Aircraft Accident Investigation Department contemplates organizing the draft regulations sequentially to align with Annex 13, thereby simplifying the process of completing the compliance checklist as mandated by ICAO.

Please accept, Sir, the assurance of my highest consideration.

Yours Faithfully,

  
**Emile N. Arao**  
**DIRECTOR GENERAL**

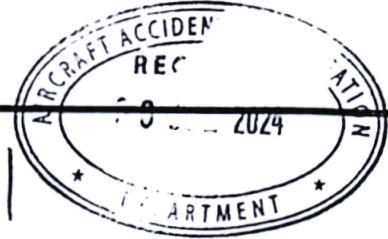
(51)

# KENYA ASSOCIATION OF AIR OPERATORS

CHAIRMAN:  
MR. MBUVI NGUNZE  
CHIEF EXECUTIVE OFFICER:  
LIZ ALUVANZE



P.O. BOX 27592 – 00506  
NAIROBI  
KENYA



KAAO/29

22<sup>nd</sup> July 2024

Principal Secretary  
Ministry of Roads & Transport  
P O Box 52692-00502  
NAIROBI

*OA  
Bventule  
AgD/AA  
30/7/24*



**Att.: Mr. Nicholas Bodo**

Dear Mohammed Daghar,

**STAKEHOLDER CONSULTATION OF THE CIVIL AVIATION (AIR ACCIDENT & INCIDENTS INVESTIGATIONS) REGULATIONS, 2024**

Ref.: Your letter MOT & I/AAID/ACT & REGS/03 VOL. 1/001/1 (43) dated 5<sup>th</sup> July 2024

Thank you for your letter at reference requesting for industry's observations on the Draft Civil Aviation (Air Accident & Incidents Investigations) Regulations, 2024.

After review of the Draft Regulations by our members, we can report that there were no significant observations made save for a few typographical errors which are hereby attached for your reference.

We remain available should you require further consultations.

Kindly acknowledge.

Yours Faithfully,

**LIZ ALUVANZE**  
**CHIEF EXECUTIVE OFFICER**

*Action taken  
AgD/AA  
30/7/24*

**KENYA ASSOCIATION OF AIR OPERATORS (KAAO) STAKEHOLDER  
 FEEDBACK- DRAFT CIVIL AVIATION AIRCRAFT ACCIDENT AND  
 INCIDENT INVESTIGATION REGULATIONS 2024**

No.	Regulation No.	Provision	Comment	Rationale
1.	Definition "dangerous goods" means articles or substances which are capable of posing a risk to health, safety, property or the environment;	Should read	"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 Technical Instructions or which are classified according to those Instructions.	To bring out clarity.
2.	Definition	Add	"Dangerous goods accident" means an occurrence associated with and related to the transport of dangerous goods by air which results in fatal or serious injury to a person or major property or environmental damage.  "Dangerous goods incident" means an occurrence, other than a dangerous goods accident, associated with and related to the transport of dangerous goods by air, not necessarily occurring on board an aircraft, which results in injury to a person, property or environmental damage, fire, breakage, spillage, leakage of fluid or radiation or other evidence that the integrity of the packaging has not been maintained. Any occurrence relating to the transport of dangerous goods which seriously	To bring out clarity.

			jeopardizes the aircraft, or its occupants is also deemed to constitute a dangerous goods incident.	
3.	7.10		Numbering after (8). Jumps to (10). Correct to (9) et seq	Sequence
4.	7.11		Correct to (10) Reference needs to be amended.... In sub-regulation (9) may...	Sequence
5.	7.12, 7.13		Numbering	Sequence
6.	11.6,11.7,11.8, 11.9,11.10, 11.11, 11.12		Numbering Correct .....of sub-regulation (6) shall not....	Sequence
7.	First Schedule 1.2		Table format	



REPUBLIC OF KENYA

Ministry of Roads and Transport



**THE CIVIL AVIATION (AIRCRAFT ACCIDENTS AND INCIDENTS INVESTIGATION) REGULATIONS, 2024**  
**VALIDATION EXERCISE**  
**Date: 3<sup>rd</sup> October 2024**  
**COMMENTS RECEIVED**

**VENUE: PANARI HOTEL**  
**DATE: 3 OCTOBER 2024**

No.	Regulation	Section statement	Comment	Adopted/Not adopted	Rationale	Stakeholder/ Organization
REGULATION	N/A	Numbering and Formatting	NO Significant Observations	Adopted		<b>Kenya Association of Air Operators</b>
6	2	We propose to add; (f) –Securing the accident area in a collaborative approach with other agencies	Not Adopted	Responsibility is for AAID as per Annex 13	<b>Daniel Murugu Secretary NAKURU COUNTY PUBLIC OPINION INITIATIVE</b>	
10	2	We recommend immediate and thorough investigations in particular to Military and State Aircrafts going by what has happened in Kenya over the last thirty (30) years	Not adopted	Not AAID Mandate		
9	-	We want all public notices to be placed in two newspapers with widest	Noted	N/A		

			circulation in Kenya thus The Daily Nation and The Standard.		
	13	-	We recommend MAY to be replaced by SHALL	Not Adopted	ICAO Amendment 19
	14	2	We recommend provision of this section to encompass and factor Witness Protection as regard Kenyans willing to share information relating to accidents.	Not Adopted	The Investigation under Annex 13 is for Safety and not apportioning blame or Liability
	5	-	We want the Advisers and Accredited Representatives cited in this section to uphold values on integrity and secrecy and at all times ensure they are not compromised to sway or sabotage the investigations	Adopted	Provided for in Annex 13
	17	3(f)	We recommend searches referenced in this section to be regulated as to take place on official working days. In the extreme circumstances the Investigator- In- Charge to apply for Court Orders to conduct the searches.	Not Adopted	Contravenes Annex 13
	7	-	We have resolved to recommend that the Tribunal cited in these areas to furnish all Kenya Aircraft Owners, Manufacturers, Crews etc. with its Rules of Procedure.	Noted	N/A
	19	1	We have purposed to add (d) Recommend for their compensation where applicable	Not Adopted	Annex 13 does not allow

	22	-	We want this section to be explicit on the pathologist fees	Not adopted	Investigation conducted under Annex 13 does not levi fees	
	24	1	We recommend the time duration be capped at six (6) months	Not Adopted	Annex 13 provides for 12 months	
	34	1	We prefer non- technical information cited in this section to be partially shared to especially the next kin and other concerned relatives.	Not Adopted	Annex 13 provides for non-disclosure	
	37	2	We recommend the fine and jail sentencing captured in this section be reduced by half (1/2)	Not Adopted	Annex 13 does not allow	
	38	-	We have no objection whatsoever to the revocation cited in this section	Noted	N/A	
	General		We recommend the Ministry of Roads and Transport for subjecting these Regulations for mandatory Public Participation and National Validation	Noted	N/A	
	Regulation 2 (Safety Enhancement)		Accredited representative" means a gazetted aircraft accident investigator designated by the Aircraft Accident Investigation Department, on the basis of his or her qualifications, for the purpose of participating in an investigation conducted by another State	Noted	N/A	<b>Diaspora Family Group</b>
	Pilot Training and Certification		Given the critical role that pilot competency plays in aviation safety, I recommend that the regulation incorporate more stringent requirements for pilot training and certification. Continuous training programs, including simulation exercises for	Noted	Responsibility of KCAA	

			emergency scenarios, should be mandated to ensure that pilots are well-prepared for any situation		
	Public communication		Transparency is essential in maintaining public trust. The regulation should outline clear guidelines for how information regarding accidents will be communicated to the public. Establishing a framework for timely and accurate updates will help mitigate misinformation and reassure passengers	Noted	N/A
	Involvement of stakeholders		I encourage the regulatory body to involve a wider range of stakeholders in the development of these regulations, including airline representatives, safety experts, and passenger advocacy groups- Their insights can provide valuable perspectives that enhance the effectiveness of the regulation.	Noted	Responsibility of KCAA
	Implementation timeline		it is crucial to provide a realistic timeline for the implementation of these new regulations. Adequate time for airlines and stakeholders to adjust to new requirements will help ensure compliance and, ultimately, better safety outcomes	Noted	N/A

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Contact Us Via:-0790 088 400  
0718 437 057  
0712 804 068

diasporafamilygroup@gmail.com



Ref: DFG06/20/VOL54/24,  
23<sup>RD</sup> OF SEPTEMBER 2024.

The Principal Secretary, State Department for Transport,  
8<sup>th</sup> Floor,  
Transcom House, Ngong Road,  
P.O. Box 52692-00200,  
Nairobi.

**SUBJECT: PUBLIC VIEWS ON THE NEW AVIATION ACCIDENT REGULATION 2024.**

Dear Sir,

We are writing to share our thoughts on the proposed Aviation Accident Regulation 2024. As an avid supporter of aviation safety and an engaged member of the aviation community, we believe it is crucial to address several key aspects of the regulation.

1. **Safety Enhancements:** The primary objective of any aviation regulation should be to enhance safety for passengers and crew. We commend the proposed measures aimed at improving accident investigation protocols and ensuring timely reporting. However, we urge the regulatory body to consider retaining the appointing authority of accident investigator to the Aircraft Accident Investigation Department to minimize individualizing appointment of such critical person thus reducing the risk of accident reporting/reports manipulation. (Regulation 2, interpretations).

We therefore propose the new text should read; *“accredited representative” means a gazetted aircraft accident investigator designated by the Aircraft Accident Investigation Department, on the basis of his or her qualifications, for the purpose of participating in an investigation conducted by another State;* and not “accredited representative” means a gazetted aircraft accident investigator designated by the Cabinet Secretary, on the basis of his or her qualifications, for the purpose of participating in an investigation conducted by another State; as contained in your new regulations. The appoint powers should not be donated to the cabinet secretary.

2. **Pilot Training and Certification:** Given the critical role that pilot competency plays in aviation safety, I recommend that the regulation incorporate more stringent requirements for pilot training and certification. Continuous training programs, including simulation exercises for emergency scenarios, should be mandated to ensure that pilots are well-prepared for any situation.
3. **Public Communication:** Transparency is essential in maintaining public trust. The regulation should outline clear guidelines for how information regarding accidents will be communicated to the public. Establishing a framework for timely and accurate updates will help mitigate misinformation and reassure passengers.

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*“Because You Are Worth it, Get it From Us”*



Address :- P.O Box 09-60607  
Contact Us Via:-0790 088 400  
0718 437 057  
0712 804 068

[diasporafamilygroup@gmail.com](mailto:diasporafamilygroup@gmail.com)



4. **Involvement of Stakeholders:** I encourage the regulatory body to involve a wider range of stakeholders in the development of these regulations, including airline representatives, safety experts, and passenger advocacy groups. Their insights can provide valuable perspectives that enhance the effectiveness of the regulation.
5. **Implementation Timeline:** It is crucial to provide a realistic timeline for the implementation of these new regulations. Adequate time for airlines and stakeholders to adjust to new requirements will help ensure compliance and, ultimately, better safety outcomes.

We appreciate the opportunity to contribute to this important discussion and look forward to seeing how these regulations will evolve to promote a safer aviation environment. We also commit to be part of the engagement meeting on the draft regulations on the communicated dates. Thank you for considering our views.

Sincerely,

  
R. Muthamia

Executive Director, Diaspora Family Group.

[raphaelmuthamia5@gmail.com](mailto:raphaelmuthamia5@gmail.com), phn no. 0712804068

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*"Because You Are Worth it, Get it From Us"*





**MINISTRY OF ROADS AND TRANSPORT  
STATE DEPARTMENT FOR TRANSPORT  
AIRCRAFT ACCIDENT INVESTIGATION DEPARTMENT**

**INVITATION TO STAKEHOLDERS' VALIDATION MEETING ON THE PROPOSED CIVIL AVIATION  
(AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION) REGULATIONS, 2024, HELD ON 3<sup>RD</sup> OCTOBER,  
2024, AT PANARI HOTEL, NAIROBI.**

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**MINISTRY OF ROADS AND TRANSPORT  
STATE DEPARTMENT FOR TRANSPORT  
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11	ERIC OUEYO	DLCO- EA	H00@dlco-er.com	
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15	Said Swirey	SAC(K)	Said.Khams@kenyaair	



**MINISTRY OF ROADS AND TRANSPORT  
STATE DEPARTMENT FOR TRANSPORT  
AIRCRAFT ACCIDENT INVESTIGATION DEPARTMENT**

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**MINISTRY OF ROADS AND TRANSPORT  
STATE DEPARTMENT FOR TRANSPORT  
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**MINISTRY OF ROADS AND TRANSPORT  
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**MINISTRY OF ROADS AND TRANSPORT**  
**STATE DEPARTMENT FOR TRANSPORT**  
**AIRCRAFT ACCIDENT INVESTIGATION DEPARTMENT**

**INVITATION TO STAKEHOLDERS' VALIDATION MEETING ON THE PROPOSED CIVIL AVIATION  
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14				
15				



**MINISTRY OF ROADS AND TRANSPORT  
STATE DEPARTMENT FOR TRANSPORT  
AIRCRAFT ACCIDENT INVESTIGATION DEPARTMENT**

**INVITATION TO STAKEHOLDERS' VALIDATION MEETING ON THE PROPOSED CIVIL AVIATION  
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**MINISTRY OF ROADS AND TRANSPORT  
STATE DEPARTMENT FOR TRANSPORT  
AIRCRAFT ACCIDENT INVESTIGATION DEPARTMENT**

**INVITATION TO STAKEHOLDERS' VALIDATION MEETING ON THE PROPOSED CIVIL AVIATION  
(AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION) REGULATIONS 2024, HELD ON 3<sup>RD</sup> OCTOBER,  
2024, AT PANARI HOTEL, NAIROBI.**

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REPUBLIC OF KENYA

**MINISTRY OF ROADS AND TRANSPORT**  
**STATE DEPARTMENT FOR TRANSPORT**

**CALL FOR COMMENTS AND INVITATION FOR STAKEHOLDERS  
VALIDATION ON THE PROPOSED CIVIL AVIATION (AIRCRAFT ACCIDENT  
AND INCIDENT INVESTIGATION) REGULATIONS, 2024**

The Ministry of Roads and Transport through the State Department for Transport has undertaken a comprehensive review of the Civil Aviation Act (Cap. 394) and developed the draft Civil Aviation (Aircraft Accident and Incident Investigation) Regulations, 2024.

**PURSUANT** to Article 10 (2) of the Constitution and Section 5 of the Statutory Instruments Act (Cap 2A), the stakeholders and members of the public are hereby invited to submit their comments, views, or written memoranda on the draft Regulations within 21 days of publication of this notice.

The draft Regulations can be accessed through <https://www.transport.go.ke/index.php/publications>.

The comments, views, or any written memoranda regarding the draft Regulations may be submitted to the **Principal Secretary, State Department for Transport, 8<sup>th</sup> Floor, Transcom House, Ngong Road P.O. Box 52692-00200, Nairobi** or emailed to [aaidregulations@transport.go.ke](mailto:aaidregulations@transport.go.ke) to be received on or before 21<sup>st</sup> September, 2024.

**FURTHER**, the Ministry of Roads and Transport invites all stakeholders to participate in the engagement meeting on the draft Regulations, scheduled for Thursday, 3<sup>rd</sup> October 2024, at Panari Hotel.

**Ministry of Roads and Transport**  
**8<sup>th</sup> Floor, Transcom House, Ngong Road**  
**P.O. Box 52692-00200, Nairobi**