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THE CIVIL AVIATION ACT

(Cap. 394)

THE CIVIL AVIATION (CERTIFICATION OF AIR NAVIGATION
SERVICE PROVIDERS) REGULATIONS, 2025

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THE CIVIL AVIATION ACT

(Cap. 394)

IN EXERCISE of powers conferred by section 82 of the Civil Aviation Act, 2013 the Cabinet Secretary for Roads and Transport, makes the following Regulations—

THE CIVIL AVIATION (CERTIFICATION OF AIR NAVIGATION SERVICE PROVIDERS) REGULATIONS, 2025

PART I—PRELIMINARY

1. These Regulations may be cited as the Civil Aviation (Certification of Air Navigation Service Providers) Regulations 2025. Citation.

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

“Act” means the Civil Aviation Act, 2013; Cap. 394.

“accuracy” means a degree of conformance between the estimated or measured value and the true value;

“aerodrome” means a defined area on land or water (including any buildings, installations and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft;

“aeronautical information” means information resulting from the assembly, analysis and formatting of aeronautical data;

“aeronautical Information Circular (AIC)” means a notice containing information that does not qualify for the origination of a NOTAM or for inclusion in the AIP, but which relates to flight safety, air navigation, technical, administrative or legislative matters;

“Aeronautical Information Publication (AIP)” means a publication issued by or with the authority of the State and containing aeronautical information of a lasting character essential to air navigation;

“Aeronautical Information Service (AIS)” means a service established within the defined area of coverage responsible for the provision of aeronautical data and aeronautical information necessary for the safety, regularity and efficiency of air navigation;

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

“air navigation services” means—

- (a) communication services, whether ground to air or ground to ground, provided for the safety of the aircraft;

- (b) navigational services, that is to say radio, radar and visual aids to navigation;
- (c) air traffic services provided for the safety of aircraft; and
- (d) aeronautical information services;

“air navigation services facility” means any facility used, available for use, or designed for use in aid of navigation of aircraft, including airports, landing fields, any structures, mechanisms, lights, beacons, marks, communicating systems, or other instruments or devices used or useful as an aid to the safe taking off, navigation, and landing of aircraft and any combination of such facilities;

“air navigation services provider” means an entity established for the purpose of providing one or more of the air navigation services as defined in these regulations;

“air traffic” means all aircraft in flight or operating on the manoeuvring area of an aerodrome;

“air traffic control service” means a service provided for the purpose of—

- (a) preventing collisions—
 - (i) between aircraft, and
 - (ii) on the manoeuvring area between aircraft and obstructions; and
- (b) expediting and maintaining an orderly flow of air traffic;

“air traffic management (ATM)” means the dynamic, integrated management of air traffic and airspace (including air traffic services, airspace management and air traffic flow management) — safely, economically and efficiently — through the provision of facilities and seamless services in collaboration with all parties and involving airborne and ground-based functions;

“air traffic service” means a generic term meaning variously, flight information service, alerting service, air traffic control service (area control service, approach control service or aerodrome control service);

“Authority” has the meaning assigned to it under section 2 of the Act;

“authorised person” means any person authorized by the Authority either generally or in relation to a particular case or class of cases and any reference to an authorised person includes reference to the holder for the time being of an office designated by the Authority;

“certificate” means the certificate for the provision of Air Navigation Services issued by the Authority under Part II of these Regulations;

“designated service provider” means a person or organization designated by the Authority to provide services in accordance with these regulations;

“quality” means a degree to which a set of inherent characteristics fulfils requirements;

“quality management” means coordinated activities to direct and control an organization with regard to quality;

“quality system” means the organisational structure, procedures, processes and resources needed to implement quality management;

“requirement” means a need or expectation that is stated, generally implied or obligatory;

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

“specified” means requirements by the Authority as contained in the implementing standards, circulars, directives, orders, notices, aeronautical publications and any other documents issued by the Authority;

“state aircraft” means aircraft used in military, customs and police services of Kenya or of any other State or any other civil registered aircraft at the time performing a state function and fully converted to offer services to heads of States, military service, customs or police or to any other State;

“Tribunal” means has the meaning assigned to it under the Act.

3. These Regulations shall apply to a person providing air navigation services within designated air spaces and at aerodromes. Application.

PART II —CERTIFICATION OF AIR NAVIGATION SERVICES PROVIDERS

4. A person shall not provide air navigation service unless they hold an Air Navigation Service Providers’ (ANSP) certificate issued by the Authority. Requirements for the provision of air navigation services.

5. (1) An applicant for initial issuance of an ANSP certificate shall — Application for ANSP certificate.

(a) submit an application in a form and manner specified by the Authority;

- (b) apply at least one hundred and eighty days before the date of intended operation.

(2) The application shall be accompanied by—

- (a) the applicant's Manual of Air Navigation Service Operations;
- (b) a detailed bio-data of all proposed key portfolio holders;
- (c) a safety management system manual;
- (d) a quality management system manual;
- (e) a ANSP's security procedures manual;
- (f) proof of financial capability to provide the required service as specified by the Authority;
- (g) fees as determined by the Authority; and
- (h) any other information as may be required by the Authority.

(3) Subject to sub-regulations (1) and (2), the applicant shall provide her principal place of business and registration in Kenya.

6. (1) The Authority shall, before issuing an ANSP certificate, be satisfied that—

Issuance of certificate.

- (a) the personnel of the applicant are adequate in number and have the necessary competency to provide the service;
- (b) the MANSOPs prepared and submitted with the application contains all the relevant information;
- (c) the facilities, services and equipment are established in accordance with these Regulations;
- (d) the operating procedures make satisfactory provision for the safety of aircraft;
- (e) an acceptable safety management system is in place;
- (f) an approved quality management system is in place;
- (g) the applicant has an acceptable ANSP security procedures manual;
- (h) the applicant has financial capability to provide the service; and
- (i) the applicant has insurance policy in force in relation to the services provided.

(2) Subject to sub regulation (1), the Authority may set any other conditions as may be deemed necessary.

(3) The issuance of a certificate shall be subject to compliance with the Act and any Regulations made there under, standards and any other condition as may be specified or notified by the Authority.

(4) The Authority may refuse to issue an ANSP certificate to an applicant if it finds that the applicant does not comply or meet the requirements of these Regulations.

7. An ANSP certificate shall contain the following information— Contents of the Certificate.

- (a) the holder's name and physical and mailing address of its principal place of business;
- (b) the type of services to be provided;
- (c) the location of services to be provided;
- (d) for air traffic service the service to be provided within a particular airspace or controlled aerodrome designated to the provider by the Authority;
- (e) conditions of approval; and
- (f) effective and expiry dates of the certificate.

8. (1) A certificate issued or renewed to an ANSP shall be valid for twenty-four months from the date of issue or renewal, unless— Validity of a certificate.

- (a) a shorter period is specified by the Authority;
- (b) the Authority amends, suspends, revokes or otherwise terminates the certificate;
- (c) an ANSP certificate holder surrenders it to the Authority;
- (d) the Authority establishes that the ANSP has suspended operations for more than sixty continuous days; or
- (e) the ANSP certificate holder notifies the Authority of the suspension of operations.

(2) An ANSP certificate which is suspended or revoked shall be returned to the Authority.

9. (1) An application for renewal of an ANSP certificate shall be made in a form specified by the Authority not later than ninety days before expiry of the certificate. Renewal of a certificate.

(2) Subject to sub-regulation (1), the application shall be accompanied by—

- (a) the Manual of Air Navigation Service Operations (MANSOPs) as specified by the Authority; and
- (b) the fee as determined by the Authority.

(3) The renewal of a certificate shall be subject to the provisions of the Act and regulations made thereunder.

10. (1) The Authority may vary a certificate upon application by the holder in the form specified by the Authority. Variation of ANSP certificate.

(2) A holder of a certificate applying to the Authority for variation of a certificate under sub regulation (1) shall be required to—

- (a) attach to the application form, three copies of the proposed amendments to the MANSOPS or the updated MANSOPS as applicable; and
- (b) pay such fee as determined by the Authority.

11. (1) The Authority may amend or modify an ANSP certificate to— Amendment of ANSP certificate.

- (a) correct any error(s); and
- (b) provide for modification as a result of change in regulation.

(2) A person shall not amend or alter any certificate or exemption issued or required by or under these Regulations.

12. (1) The holder of the ANSP certificate shall display the certificate, or a copy at the holder's principal place of business in a conspicuous place generally accessible to the public. Display of certificate.

(2) Where a copy of the certificate is displayed under sub regulation (1), the holder of the certificate shall produce the original certificate to the Authority for inspection if required.

13. An ANSP certificate issued under these Regulations shall not be transferable. Transfer of ANSP certificate.

14. (1) The Authority may suspend, cancel, or revoke an ANS provider certificate, or impose conditions in respect of any such certificate, if the Authority considers such action necessary in the interests of aviation safety. Suspension, cancellation and revocation of certificates.

(2) The Authority may provisionally suspend pending further investigation, any certificate issued under these Regulations, if it considers that—

(a) a relevant provision of—

- (i) the Act or Regulations made there under; or
- (ii) a condition in the certificate has not been or is not being complied with;

(b) false or materially incorrect information was given to the Authority in the application for the certificate; or

(c) it is in public interest to do so.

(3) The Authority may, on giving reasons to the holder of a certificate, suspend the certificate for a period not exceeding sixty days.

(4) A holder of a certificate who is notified of a suspension in sub regulation (3) may submit a response in writing within a period not exceeding fourteen days.

(5) Notwithstanding sub regulation (4), the Authority may suspend any or all operations of the holder of the certificate pending receipt of a response from the holder.

(6) The Authority may, upon the completion of an investigation which has shown sufficient ground to the Authority's satisfaction suspend, cancel or revoke any certificate issued under these Regulations.

(7) A holder or any person having the possession or custody of any certificate which has been suspended, cancelled or revoked under these Regulations shall surrender the certificate to the Authority within fourteen days from the date of suspension, cancellation or revocation.

15.(1) The Authority shall keep and maintain a register showing—

Register of
certificate holders.

- (a) name of the holder of the certificate;
- (b) date of issue or renewal of the certificate;
- (c) type of service offered by the holder of the certificate;
- (d) expiry date of the certificate;
- (e) date of variation, replacement, suspension, cancellation or revocation of the certificate, if any;
- (f) physical and postal address of the holder of the certificate;
and
- (g) any other particulars as may be specified by the Authority.

(2) Any changes in the particulars recorded under sub-regulation (1) shall be entered in the register by the Authority.

(3) The register shall be a public document and any particulars entered may be obtained upon payment of the fee determined by the Authority.

PART III — MANUAL OF AIR NAVIGATION SERVICE OPERATIONS

16. (1) The Manual of Air Navigation Service Operations submitted under these Regulations shall be in a form specified by the Authority.

Requirements for the manual of ANS operations.

(2) The Manual in sub-regulation (1) shall be submitted to the Authority for approval.

(3) A holder of a certificate shall keep the original approved copy of the manual at the principal place of business and copies of the approved manual at all operational areas.

17. A Manual of Air Navigation Service Operations (MANSOPS) shall contain all information and instructions necessary to enable the personnel of air navigation service provider perform their duties including—

Contents of the manual of ANS operations.

- (a) services to be provided;
- (b) personnel requirements and responsibilities;
- (c) training and performance assessment of staff;
- (d) safety management system;
- (e) quality management system;
- (f) contingency plans;
- (g) Compliance with the Civil Aviation (Security) Regulations;
- (h) specifications of the facilities and equipment (including the installation and maintenance procedures);
- (i) faults and defect reporting;
- (j) maintenance of documents and records;
- (k) search and rescue responsibilities;
- (l) scheduled hours of service;
- (m) systems and procedures in the provision of air navigation services;

- (n) coordination and interoperability requirements for seamless operations in the upper airspace; and
- (o) any other information as applicable for the provision of ANSP operations.

18. (1) For the purposes of maintaining the accuracy of the information in the MANSOPs, the—

Amendment of the manual of ANS operations.

- (a) holder of a certificate shall whenever necessary, amend the manual; or
- (b) the Authority may issue a written directive requiring the ANS provider to amend the manual.

(2) Notwithstanding sub-regulation (1) the holder of a certificate shall review the MANSOPs at least once every four years.

(3) The holder of a certificate shall submit the proposed amendment to the Authority for approval.

19. The holder of a certificate shall—

Continued compliance.

- (a) demonstrate compliance to applicable regulations and requirements by the Authority to the type of service certificated;
- (b) comply with all procedures and processes detailed in their manuals.

PART IV — AIR NAVIGATION SERVICES

20. A person issued with an ANSP certificate by the Authority, may provide any of the following services in accordance with the Act and the Regulations made there under—

Provision of air navigation services.

- (a) air traffic services;
- (b) aeronautical telecommunication services;
- (c) meteorological service for air navigation;
- (d) aeronautical search and rescue services;
- (e) aeronautical information services;
- (f) aeronautical charts service; or
- (g) construction of visual and instrument flight procedures service.

21. (1) A holder of an ANSP certificate shall—
- Air navigation services facilities, standard systems and training requirements.
- (a) provide in the designated portion of airspace and aerodromes, facilities for the provision of air navigation services; and
- (b) adopt and put into operation the appropriate standard systems, operational practices and rules as specified by the Authority.
- (2) The ANSP shall incorporate the relevant ANS oversight inspectors in factory and site training for new acquisition and upgrade of air navigation services equipment and facilities.
- (3) Subject to sub-regulation (2), the ANSP shall meet the training costs for the ANS regulatory inspectors.
22. A person shall not install, maintain, and operate air navigation service facilities in the designated airspaces and aerodromes without approval of the Authority.
- Approval of air navigation service facilities.
23. The air navigation services provider shall —
- Establishment of the ANSP security programme.
- (a) establish and implement appropriate security provisions to meet the requirements of the Civil Aviation (Security) Regulations;
- (b) develop and implement measures in order to protect information and communication technology systems used for civil aviation purposes from interference that may jeopardize the safety of civil aviation.
24. (1) The Authority shall carry out safety inspections and audits of air navigation facilities, services, documents and records of the air navigation service providers to ensure compliance with the applicable civil aviation regulations.
- Safety inspections and audit of air navigation services.
- (2) The safety inspections and audits shall be carried out in accordance with the requirements specified by the Authority.
- (3) The Authority may impose operating restrictions or sanctions on the operations of a certificate holder in the event of non-conformance with the certification requirements or any unresolved safety concerns.
25. The Authority may make and issue orders, circulars, ANS Implementing Standards and directives prescribing any air navigation
- Power of Authority to issue orders, circulars,

service matter which may enhance the carrying out of the objects and purposes of these Regulations.

ANS
Implementing
Standards and
directives.

26. (1) The ANS inspector shall carry out independent oversight of the ANSP by applying a system of safety approach to the ANS operations.

Air navigation
service inspectors.

(2) Subject to sub-regulation (1) the approach shall require safety to be an inherent part of the operational system, dictating continual improvement and requiring a closed loop system for monitoring and corrective action.

(3) ANS inspectors shall perform inspections and audits to determine compliance with these regulations and other civil aviation regulations.

(4) The ANS inspectors, in the course of their duties shall be accorded free and unhindered access to ANS facilities, records, data, information and restricted areas under the control of the air navigation service provider.

27. (1) The Authority shall issue ANS inspectors with credentials for performance of the safety oversight duties.

Air navigation
Service
inspector's
credentials

(2) The ANS inspectors once issued with the credentials shall follow the basic guidelines stipulated in the inspector's manual and be governed by the provisions of the Act.

PART V — GENERAL PROVISIONS

28. (1) A person may apply to the Authority in the specified form for replacement of documents issued under these Regulations if such documents are lost, mutilated, or destroyed.

Replacement of
documents.

(2) Subject to sub- regulation (1), the holder of a certificate shall submit to the Authority—

- (a) the original certificate or a copy thereof in case of loss; and
- (b) a court order, or other legal document in support of the application for replacement.

29. (1) A holder of an air navigation services provider certificate issued under these Regulations shall notify the Authority of the change in the physical and mailing address and do so in the case of —

Change of
address.

- (a) physical address, at least fourteen days in advance; and

(b) mailing address upon the change.

(2) A person who fails to notify the Authority of the change in the physical and mailing address within the time frame specified in sub-regulation (1) shall not exercise the privileges of the certificate.

30. (1) A person shall not mutilate, alter, render illegible or destroy any records, or any entry made therein, required by or under these Regulations to be maintained, or knowingly make, or procure or assist in the making of, any false entry in any such record, or willfully omit to make a material entry in such record.

Use and retention of documents and records.

(2) All records required to be maintained by or under these Regulations shall be recorded in a permanent and indelible material for a period of not less than six months.

31. (1) Any person who becomes aware of a violation of the Act, or any Regulations, rules, or orders issued there under, shall report it to the Authority.

Reports of violation.

(2) The Authority may determine the nature and type of investigation or enforcement action that needs to be taken.

32. Any person who fails to comply with any direction given to him by the Authority or by any authorised person under any provision of these Regulations shall be deemed for the purposes of these Regulations to have contravened that provision.

Failure to comply with directions.

33. (1) The Authority shall notify in writing the fees to be charged in connection with the issue, renewal or variation of any certificate, test, inspection or investigation required by, or for the purpose of these Regulations, any orders, notices or proclamations made thereunder.

Aeronautical fees.

(2) The applicant shall be required, before the application is accepted, to pay the fee so chargeable in accordance with the provisions of sub regulation (1).

(3) The Authority shall not refund the fees paid if the application is withdrawn by the applicant or otherwise ceases to have effect or is rejected.

PART VI — MISCELLANEOUS PROVISIONS

34. A service provider who fails to comply with the provision of these Regulations, may have his licence, certificate, approval, authorization, exemption or other such document suspended or revoked in addition to any other administrative sanction specified by the Authority.

Contravention of regulations.

35. A person aggrieved with the decision of the Authority under these Regulations may within twenty-one days of such decision appeal to the Tribunal.

Appeals to the Tribunal.

36. (1) A person who contravenes any provision of these Regulations, shall, upon conviction, be liable to a fine or imprisonment or both, and in the case of a continuing contravention, each day of the contravention shall constitute a separate offence.

Offences and
Penalties.

(2) A person who contravenes any provision specified as an "A" provision in the Schedule to these Regulations commits an offence and is liable on conviction to a fine not exceeding one million shillings for each offence and or to imprisonment for a term not exceeding one year or to both.

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

(4) A person who contravenes any provision that is not specified in the Schedule to these Regulations commits an offence and is liable on conviction to a fine not exceeding five hundred thousand shillings for each offence and or to imprisonment for a term not exceeding six months or to both.

(5) If it is proved that an act or omission of any person, which would otherwise have been a contravention by that person of a provision of these Regulations, was due to any cause not avoidable by the exercise of reasonable care by that person, the act or omission shall be deemed not to be a contravention by that person of that provision.

37. The Civil Aviation (Certification of Air Navigation Service Providers) Regulations, 2018 are hereby revoked.

Revocation of
L.N.125 of 2018.

38. (1) A licence, certificate, permit or authorization issued or granted by the Authority before the commencement of these Regulations shall remain operational until it expires or is revoked, annulled or replaced.

Transitional and
savings
provisions.

(2) Notwithstanding any other provision of these Regulations, a person who at the commencement of these Regulations, is carrying out any acts, duties or operations affected by these Regulations shall, within one (1) year from the date of commencement, comply with the requirements of these Regulations or cease to carry out such acts, duties or operations.

SCHEDULE
(*r. 36(3) and (4)*)
PENALTIES

REG. NO	TITLE	PART
4	Requirements for the provision of air navigation services.	B
12	Display of certificate.	A
13	Transfer of ANSP of Certificate.	A
14	Suspension, cancellation and revocation of certificate.	A
18	Amendment of manual of ANS Operations.	A
19	Continued compliance.	A
21	ANS facilities, standard systems and training requirements.	A
22	Approval of Air Navigation Services facilities.	A
30	Use and retention of documents and records.	A
31	Reports of violation.	A
32	Failure to comply with directions.	A

Made on the 15th December, 2025

DAVIS CHIRCHIR,
Cabinet Secretary for Roads and Transport.