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THE CIVIL AVIATION ACT

(Cap. 394)

THE CIVIL AVIATION (OPERATION OF AIRCRAFT-HELICOPTERS) REGULATIONS, 2025

PAPERS LAID
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THE CIVIL AVIATION ACT

(Cap. 394)

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

THE CIVIL AVIATION (OPERATION OF AIRCRAFT-HELICOPTERS) REGULATIONS, 2025

PART I—PRELIMINARY

Citation.

1. These Rules may be cited as the Civil Aviation (Operation of Aircraft- Helicopters) Regulations, 2025.

Interpretation.

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

"Act" means the Civil Aviation Act (Cap. 394);

"advanced aircraft" means an aircraft with equipment in addition to that required for a basic aircraft for a given take-off, approach or landing operation;

"aerial work" means an aircraft operation in which an aircraft is used for specialized services such as agriculture, construction, photography, surveying, observation and patrol, search and rescue, aerial advertisement, etc.;

"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;

"air Ambulance" means any conveyance which is either designed or equipped for the transport of sick or injured person(s), and/or the transport of medical personnel to such person(s);

"air Ambulance Operations" means the operation of a helicopter as an air ambulance in air transportation service;

"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;

"aircraft operating manual" means a manual, acceptable to the Authority, containing normal, abnormal and emergency procedures, checklists, limitations, performance information, details of the aircraft systems and other material relevant to the operation of the aircraft;

"Air Operator Certificate (AOC)" means a certificate authorizing an operator to carry out specified commercial air transport operations;

"Air Traffic Service (ATS)" is a generic term meaning variously, flight information service, alerting service, air traffic advisory service, air traffic control service (area control service, approach control service or aerodrome control service);

"airworthy" means the status of an aircraft, engine, propeller or part when it conforms to its approved design and is in a condition for safe operation;

"alternate heliport" means a heliport to which a helicopter may proceed when it becomes either impossible or inadvisable to proceed to or to land at the heliport of intended landing where the necessary services and facilities are available, where aircraft performance requirements can be met and which is operational at the expected time of use. Alternate heliports include the following—

(a) "take-off alternate" means an alternate heliport at which a helicopter would be able to land should this become necessary shortly after take-off and it is not possible to use the heliport of departure;

(b) en-route alternate. An alternate heliport at which a helicopter would be able to land in the event that a diversion becomes necessary while en route;

(c) destination alternate. An alternate heliport at which a helicopter would be able to land should it become either impossible or inadvisable to land at the heliport of intended landing;

"approach and landing phase — helicopters" means that part of the flight from 300 m (1 000 ft) above the elevation of the FATO, if the flight is planned to exceed this height, or from the commencement of the descent in the other cases, to landing or to the balked landing point;

"appropriate airworthiness requirements" means the comprehensive and detailed airworthiness codes established, adopted or accepted by a Contracting State for the class of aircraft, engine or propeller under consideration;

"area navigation (RNAV)" means a method of navigation which permits aircraft operation on any desired flight path within the coverage of ground- or space-based navigation aids or within the limits of the capability of self-contained aids, or a combination of these;

"Automatic deployable flight recorder or ADFR" means a combination flight recorder installed on the aircraft which is capable of automatically deploying from the aircraft;

"basic aircraft" means an aircraft which has the minimum equipment required to perform the intended take-off, approach or landing operation;

"cabin crew member" means crew member who performs, in the interest of safety of passengers, duties assigned by the operator or the pilot-in- command of the aircraft, but who shall not act as a flight crew member;

"certificate of release to service" means a document which contains a certification confirming that the maintenance work to which it relates has been completed in a satisfactory manner, either in accordance with the approved data and the procedures described in the maintenance organization's procedures manual or under an equivalent system;

"COMAT" means operator material carried on an operator's aircraft for the operator's own purposes;

"Combined Vision System (CVS)" means a system to display images from a combination of an enhanced vision system (EVS) and a synthetic vision system (SVS);

"commercial air transport operation" means an aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire;

"Configuration Deviation List (CDL)" means a list established by the organization responsible for the type design with the approval of the State of Design which identifies any external parts of an aircraft type which may be missing at the commencement of a flight, and which contains, where necessary, any information on associated operating limitations and performance correction;

"congested area" means in relation to a city, town or settlement, any area which is substantially used for residential, commercial or recreational purposes;

"congested hostile environment" means a hostile environment within a congested area;

"continuing airworthiness" means the set of processes by which an aircraft, engine, rotor or part complies with the applicable airworthiness requirements and remains in a condition for safe operation throughout its operating life;

"continuing airworthiness records" means records which are related to the continuing airworthiness status of an aircraft, engine, rotor or associated part;

"continuous Descent Final Approach (CDFA)" means a technique, consistent with stabilized approach procedures, for flying the final approach segment (FAS) of an instrument non-precision approach (NPA) procedure as a continuous descent, without level-off, from an altitude/height at or above the final approach fix altitude/height to a point approximately 15 m (50 ft) above the landing runway threshold or the point where the flare manoeuvre begins for the type of aircraft flown; for the FAS of an NPA procedure followed by a circling approach, the CDFA technique applies until circling approach minima (circling OCA/H) or visual flight manoeuvre altitude/height are reached;

"contracting State" means all States that are parties to the Convention on International Civil Aviation (Chicago Convention);

"crew member" means a person assigned by an operator to duty on an aircraft during a flight duty period;

"dangerous goods" means articles or substances which are capable of posing a risk 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;

"Decision Altitude (DA) or Decision Height (DH)" means a specified altitude or height in a three-dimensional (3D) instrument approach operation at which a missed approach must be initiated if the

required visual reference to continue the approach has not been established;

"Defined Point After Take-Off (DPATO)" means the point, within the take-off and initial climb phase, before which the helicopter's ability to continue the flight safely, with one engine inoperative, is not assured and a forced landing may be required;

"Defined Point Before Landing (DPBL)" means the point, within the approach and landing phase, after which the helicopter's ability to continue the flight safely, with one engine inoperative, is not assured and a forced landing may be required;

"Duty" means any task that flight or cabin crew members are required by the operator to perform, including, for example, flight duty, administrative work, training, positioning and standby when it is likely to induce fatigue;

"duty period" means a period which starts when a flight or cabin crew member is required by an operator to report for or to commence a duty and ends when that person is free from all duties;

"Electronic Flight Bag (EFB)" means an electronic information system, comprised of equipment and applications for flight crew, which allows for the storing, updating, displaying and processing of EFB functions to support flight operations or duties;

"elevated heliport" means a heliport located on a raised structure on Land;

"Emergency Locator Transmitter (ELT)" means a generic term describing equipment which broadcast distinctive signals on designated frequencies and, depending on application, may be activated automatically on impact or be manually and an ELT may be any of the following—

(a) Automatic Fixed ELT (ELT(AF)). An automatically activated ELT which is permanently attached to an aircraft;

(b) Automatic Portable ELT (ELT(AP)). An automatically activated ELT which is rigidly attached to an aircraft but readily removable from the aircraft;

(c) Automatic Deployable ELT (ELT(AD)). An ELT which is rigidly attached to an aircraft and which is automatically deployed and activated by impact, and, in some cases, also by hydrostatic sensors. Manual deployment is also provided;

(d) Survival ELT (ELT(S)). An ELT which is removable from an aircraft, stowed so as to facilitate its ready use in an emergency, and manually activated by survivors;

"engine" means a unit used or intended to be used for aircraft propulsion. It consists of at least those components and equipment necessary for functioning and control, but excludes the propeller/rotors (if applicable);

"Enhanced Vision System (EVS)" means a system to display electronic real-time images of the external scene achieved through the use of image sensors;

"en-route phase" means that part of the flight from the end of the take- off and initial climb phase to the commencement of the approach and landing phase;

Note: Where adequate obstacle clearance cannot be guaranteed visually, flights must be planned to ensure that obstacles can be cleared by an appropriate margin. In the event of failure of the critical engine, operators may need to adopt alternative procedures;

"evaluator" means a person employed by an Approved Training Organisation or an Air Operator Certificate holder who performs tests for licensing, added ratings, authorisations, and proficiency checks that are authorised by the certificate holder's training specification, and who is authorised by the Authority to administer such checks and tests;

"fatigue" means a physiological state of reduced mental or physical performance capability resulting from sleep loss, extended wakefulness, circadian phase, or workload ,mental or physical activity that can impair a person's alertness and ability to adequately perform safety-related operational duties;

"fatigue risk management system or FRMS" means data-driven means of continuously monitoring and managing fatigue-related safety risks, based upon scientific principles and knowledge as well as operational experience that aims to ensure relevant personnel are performing at adequate levels of alertness;

"Final Approach and Take-Off area (FATO)" means a defined area over which the final phase of the approach manoeuvre to hover or landing is completed and from which the take-off manoeuvre is commenced and where the FATO is to be used by helicopters operating in performance Class 1, the defined area includes the rejected take-off area available;

"Final Approach Segment (FAS)" means that segment of an instrument approach procedure in which alignment and descent for landing are accomplished;

"flight crew member" means a licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period;

"flight duty period" means the total time from the moment a flight crew member commences duty, immediately subsequent to a rest period and prior to making a flight or a series of flights, to the moment the flight crew member is relieved of all duties having completed such flight or series of flights;

"flight manual" means a manual, associated with the certificate of airworthiness, containing limitations within which the aircraft is to be considered airworthy, and instructions and information necessary to the flight crew members for the safe operation of the aircraft;

"flight operations officer/flight dispatcher" means a person designated by the operator to engage in the control and supervision of flight operations, whether licensed or not, suitably qualified in accordance with the Civil Aviation (Personnel) Licensing Regulations, who supports, briefs or assists the pilot-in- command in the safe conduct of the flight;

"flight plan" means specified information provided to air traffic services units, relative to an intended flight or portion of a flight of an aircraft;

"flight recorder" means any type of recorder installed in the aircraft for the purpose of complementing accident or incident investigation;

"flight safety documents system" means a set of interrelated documentation established by the operator, compiling and organizing information necessary for flight and ground operations, and comprising, as a minimum, the operations manual and the operator's maintenance control manual;

"flight simulation training device" means any one of the following three types of apparatus in which flight conditions are simulated on the ground—

(a) a flight simulator, which provides an accurate representation of the flight deck of a particular aircraft type to the extent that the mechanical, electrical, electronic, etc. aircraft systems control functions, the normal environment of flight crew members, and the performance and flight characteristics of that type of aircraft are realistically simulated;

(b) a flight procedures trainer, which provides a realistic flight deck environment, and which simulates instrument responses, simple control functions of mechanical, electrical, electronic, etc. aircraft systems, and the performance and flight characteristics of aircraft of a particular class;

(c) a basic instrument flight trainer, which is equipped with appropriate instruments, and which simulates the flight deck environment of an aircraft in flight in instrument flight conditions;

"flight time — helicopters" means the total time from the moment a helicopter's rotor blades start turning until the moment the helicopter finally comes to rest at the end of the flight, and the rotor blades are stopped;

"general aviation operation" means an aircraft operation other than a commercial air transport operation or an aerial work operation;

"ground handling" means services necessary for an aircraft's arrival at, and departure from, an airport, other than air traffic services;

"Head-Up Display (HUD)" means a display system that presents flight information into the pilot's forward external field of view;

"helicopter" means a heavier-than-air aircraft supported in flight chiefly by the reactions of the air on one or more power-driven rotors on substantially vertical axes;

"helideck" means a heliport located on a floating or fixed offshore structure;

"heliport" means an aerodrome or a defined area on a structure intended to be used wholly or in part for the arrival, departure and surface movement of helicopters;

"heliport operating minima" means the limits of usability of a heliport—

(a) take-off, expressed in terms of runway visual range or visibility and, if necessary, cloud conditions;

(b) landing in 2D instrument approach operations, expressed in terms of visibility or runway visual range, Minimum Descent Altitude/Height (MDA/H) and, if necessary, cloud conditions; and

(c) landing in 3D instrument approach operations, expressed in terms of visibility or runway visual range and Decision Altitude/Height (DA/H) as appropriate to the type or category of the operation;

"hostile environment" means an environment in which—

(a) a safe forced landing cannot be accomplished because the surface and surrounding environment are inadequate;

(b) the helicopter occupants cannot be adequately protected from the elements;

(c) search and rescue response or capability is not provided consistent with anticipated exposure; or

(d) there is an unacceptable risk of endangering persons or property on the ground;

"human factors principles" means principles which apply to aeronautical design, certification, training, operations and maintenance and which seek safe interface between the human and other system components by proper consideration to human performance;

"human performance" means human capabilities and limitations which have an impact on the safety and efficiency of aeronautical operations;

"instrument approach operations" means an approach and landing using instruments for navigation guidance based on an instrument approach procedure. There are two methods for executing instrument approach operations—

(a) a two-dimensional (2D) instrument approach operation, using lateral navigation guidance only; and

(b) a three-dimensional (3D) instrument approach operation, using both lateral and vertical navigation guidance;

"Instrument Approach Procedure (IAP)" means a series of predetermined manoeuvres by reference to flight instruments with specified protection from obstacles from the initial approach fix, or where applicable, from the beginning of a defined arrival route to a point from which a landing can be completed and thereafter, if a landing is not completed, to a position at which holding or en-route obstacle clearance criteria apply. Instrument approach procedures are classified as follows—

(a) Non-Precision Approach (NPA) procedure An instrument approach procedure designed for 2D instrument approach operations Type A;

(b) Approach Procedure with Vertical guidance (APV). A Performance -Based Navigation (PBN) instrument approach procedure designed for 3D instrument approach operations Type A;

(c) Precision Approach (PA) procedure. An instrument approach procedure based on navigation systems (ILS, MLS, GLS and SBAS CAT I) designed for 3D instrument approach operations Type A or B;

"Instrument Meteorological Conditions (IMC)" means meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling, less than the minima specified for visual meteorological conditions;

"Integrated survival suit" means a survival suit which meets the combined requirements of the survival suit and life jacket;

"Landing Decision Point (LDP)" means the point used in determining landing performance from which, an engine failure occurring at this point, the landing may be safely continued or a balked landing initiated;

"Low-visibility operations or LVO". Means approach operations in RVRs less than 550 m or with a DH less than 60 m or 200 ft or take-off operations in RVRs less than 400 m;

"maintenance" means the performance of tasks on an aircraft, engine, propeller or associated part required to ensure the continuing airworthiness of an aircraft, engine, propeller or combination of overhaul, inspection, replacement, defect rectification, and the embodiment of a modification or repair;

"maintenance organization's procedures manual" means a document endorsed by the head of the maintenance organization which details the maintenance organization's structure and management responsibilities, scope of work, description of facilities, maintenance procedures and quality assurance or inspection systems;

"maintenance programme" means a document which describes the specific scheduled maintenance tasks and their frequency of completion and related procedures, such as a reliability programme, necessary for the safe operation of those aircraft to which it applies;

"maintenance release" means a document which contains a certification confirming that the maintenance work to which it relates has been completed in a satisfactory manner in accordance with appropriate airworthiness requirements;

"Master Minimum Equipment List (MMEL)" means a list established for a particular aircraft type by the organization responsible for the type design with the approval of the State of Design containing items, one or more of which is permitted to be unserviceable at the commencement of a flight. The MMEL may be associated with special operating conditions, limitations or procedures;

"maximum mass" means maximum certificated take-off mass;

"Minimum Descent Altitude (MDA) or minimum descent height (MDH)" operation or circling approach operation below which descent must not be made without the required visual reference;

"Minimum Equipment List (MEL)" means a list which provides for the operation of aircraft, subject to specified conditions, with particular equipment inoperative, prepared by an operator in conformity with, or more restrictive than, the MMEL established for the aircraft type;

"modification" means a change to the type design of an aircraft, engine or propeller and may include the embodiment of the modification which is a maintenance task subject to a maintenance release as per Civil Aviation (Airworthiness of Aircraft) Regulations;

"navigation specification" means a set of aircraft and flight crew requirements needed to support performance-based navigation operations within a defined airspace and there are two kinds of navigation specifications—

(a) Required Navigation Performance (RNP) specification" means a navigation specification based on area navigation that includes the requirement for performance monitoring and alerting, designated by the prefix RNP, e.g. RNP 4, RNP APCH;

(b) "Area navigation (RNAV) specification" means a navigation specification based on area navigation that does not include the requirement for performance monitoring and alerting, designated by the prefix RNAV, e.g. RNAV 5, RNAV 1;

"night" means the time between fifteen minutes after sunset and fifteen minutes before sunrise, sunrise and sunset being determined at surface level, and includes any time between sunset and sunrise when an unlighted aircraft or other unlighted prominent object cannot clearly be seen at a distance of 4,572 m;

"non-congested hostile environment" means a hostile environment outside a congested area;

"non-hostile environment" means an environment in which—

(a) a safe forced landing can be accomplished because the surface and surrounding environment are adequate;

(b) the helicopter occupants can be adequately protected from the elements;

(c) search and rescue response or capability is provided consistent with anticipated exposure; and

(d) the assessed risk of endangering persons or property on the ground is acceptable;

"Obstacle Clearance Altitude (OCA) or Obstacle Clearance Height (OCH)" means the lowest altitude or the lowest height above the elevation of the relevant runway threshold or the aerodrome elevation as applicable, used in establishing compliance with appropriate obstacle clearance criteria;

"offshore operations" means operations which routinely have a substantial proportion of the flight conducted over sea areas to or from offshore locations. Such operations include, but are not limited to, support of offshore oil, gas and mineral exploitation and sea-pilot transfer;

"operation" means an activity or group of activities which are subject to the same or similar hazards and which require a set of equipment to be specified, or the achievement and maintenance of a set of pilot competencies, to eliminate or mitigate the risk of such hazards;

"operational control" means the exercise of authority over the initiation, continuation, diversion or termination of a flight in the interest of the safety of the aircraft and the regularity and efficiency of the flight;

"operational credit" means a credit authorized for operations with an advanced aircraft enabling a lower aerodrome operating minimum than would normally be authorized for a basic aircraft, based upon the performance of advanced aircraft systems utilizing the available external infrastructure;

"operational flight plan" means the operator's plan for the safe conduct of the flight based on considerations of helicopter performance, other operating limitations and relevant expected conditions on the route to be followed and at the heliports concerned;

"operations in performance Class 1" means operations with performance such that, in the event of a critical engine failure, performance is available to enable the helicopter to safely continue the flight to an appropriate landing area, unless the failure occurs prior to reaching the Take-off Decision Point (TDP) or after passing the Landing Decision Point (LDP), in which cases the helicopter must be able to land within the rejected take-off or landing area;

"operations in performance class 2" means operations with performance such that, in the event of critical engine failure, performance is available to enable the helicopter to safely continue the flight to an appropriate landing area, except when the failure occurs early during the take-off manoeuvre or late in the landing manoeuvre, in which cases a forced landing may be required;

"operations in performance class 3" means operations with performance such that, in the event of an engine failure at any time during the flight, a forced landing will be required;

"operations manual" means a manual containing procedures, instructions and guidance for use by operational personnel in the execution of their duties;

"operations specifications" means the authorizations, conditions and limitations associated with the air operator certificate and subject to the conditions in the operations manual;

"operator" means the person, organization or enterprise engaged in or offering to engage in an aircraft operation;

"operator's maintenance control manual" means a document which describes the operator's procedures necessary to ensure that all scheduled and unscheduled maintenance is performed on the operator's aircraft on time and in a controlled and satisfactory manner;

"Performance-based aerodrome operating minimum" (PBAOM) means a lower aerodrome operating minimum, for a given take-off, approach or landing operation, than is available when using a basic aircraft. The PBAOM is derived by considering the combined capabilities of the aircraft and available ground facilities. PBAOM may be based on operational credits and are not limited to PBN operations;

"Performance-Based Communication (PBC)" means communication based on performance specifications applied to the provision of air traffic services;

"Performance-Based Navigation (PBN)" means area navigation based on performance requirements for aircraft operating along an ATS route, on an instrument approach procedure or in a designated airspace;

"Performance-Based Surveillance (PBS)" means surveillance based on performance specifications applied to the provision of air traffic services;

"pilot-in-command" means the pilot designated by the operator, or in the case of general aviation, the owner, as being in command and charged with the safe conduct of a flight;

"point of no return" means the last possible geographic point at which an aircraft can proceed to the destination aerodrome as well as to an available en- route alternate aerodrome for a given flight;

"prescribed" means prescribed by the Authority;

"psychoactive substances" means alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psychostimulants, hallucinogens, and volatile solvents, whereas coffee and tobacco are excluded;

"repair" The restoration of an aircraft, engine or associated part to an airworthy condition in accordance with the appropriate airworthiness requirements after it has been damaged or subjected to wear;

"Required Communication Performance (RCP) specification" means a set of requirements for air traffic service provision and associated ground equipment, aircraft capability, and operations needed to support performance- based communication;

"required Surveillance Performance (RSP) specification" means a set of requirements for air traffic service provision and associated ground equipment, aircraft capability, and operations needed to support performance-based surveillance;

"rest period" means a continuous and defined period of time, subsequent to and/or prior to duty, during which flight or cabin crew members are free of all duties;

"Runway Visual Range (RVR)" means the range over which the pilot of an aircraft on the centre line of a runway can see the runway surface markings or the lights delineating the runway or identifying its centre line;

"safe forced landing" means unavoidable landing or ditching with a reasonable expectancy of no injuries to persons in the aircraft or on the surface;

"Safety Management System (SMS)" means a systematic approach to managing safety, including the necessary organizational structures, accountability, responsibilities, policies and procedures;

"series of flights" means series of flights or consecutive flights that—

(a) begin and end within a period of 24 hours; and

(b) are all conducted by the same pilot-in-command;

"specific approval". means an approval which is documented in the Operations Specifications for commercial air transport operations or in the list of specific approvals for non-commercial operations;

"State of Registry" means the State on whose register the aircraft is entered;

"State of the Aerodrome" means the State in whose territory the aerodrome is located;

" State of the Operator" means the State in which the operator's principal place of business is located or; if there is no such place of business, the operator permanent residence;

"State of the principal location of a general aviation operator" means the State in which the operator of a general aviation aircraft has its principal place of business or, if there is no such place of business, its permanent residence;

"Synthetic Vision System (SVS)" means a system to display data- derived synthetic images of the external scene from the perspective of the flight deck;

"take-off and initial climb phase" means that part of the flight from the start of take-off to 300 m (1 000 ft) above the elevation of the

FATO, if the flight is planned to exceed this height, or to the end of the climb in the other cases;

"Take-off Decision Point (TDP)" means the point used in determining take-off performance from which, an engine failure occurring at this point, either a rejected take-off may be made or a take-off safely continued;

"Tribunal" means the National Civil Aviation Administrative Review Tribunal established under section 66 of the Act;

"Visual Meteorological Conditions (VMC)" means meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling, equal to or better than specified minima; and

"Vertical Take-off Safety Speed (VTOSS)" means the minimum speed at which climb shall be achieved with the critical engine inoperative, the remaining engines operating within approved operating limits.

Application.

3. These Regulations shall be applicable to all helicopters engaged in commercial air transport operations, general aviation operations, except helicopters engaged in aerial work.

PART II— COMMERCIAL AIR TRANSPORT

General Operations Requirements

Compliance with laws, Regulations and procedures.

4. (1) The operator of a Kenyan registered helicopter shall—

(a) comply with the Kenyan laws, Regulations and procedures;

(b) comply with the laws, Regulations and procedures of any other State in which operations are conducted.

(2) The operator shall ensure that all pilots are familiar with the laws, Regulations and procedures, pertinent to the performance of their duties, prescribed for the areas to be traversed, the heliports to be used and the air navigation facilities relating thereto.

(3) The operator shall ensure that other members of the flight crew are familiar with these Regulations and procedures as are pertinent to the performance of their respective duties in the operation of the helicopter.

(4) The operator or a designated representative shall have responsibility for operational control.

(5) Responsibility for operational control shall be delegated only to the pilot-in-command and to a flight operations officer/flight dispatcher if the operator's approved method of control and supervision of flight operations requires the use of flight operations officer/flight dispatcher personnel.

(6) If an emergency situation which endangers the safety of the helicopter or persons becomes known first to the flight operations officer/flight dispatcher, action by that person in accordance with regulation 39(1) where necessary, shall notify the appropriate

authorities of the nature of the situation without delay, and requests for assistance if required.

(7) If an emergency situation which endangers the safety of the helicopter or persons necessitates the taking of action which involves a violation of local Regulations or procedures, the pilot-in-command shall notify the appropriate local authority without delay. If required by the State in which the incident occurs, the pilot-in-command shall submit a report on any such violation to the appropriate authority of such State; in that event, the pilot-in- command shall also submit a copy of it to the Authority. Such reports shall be submitted as soon as possible and normally within ten days.

(8) The operator shall ensure the pilot-in-command has available on board the helicopter all the essential information concerning the search and rescue services in the area over which the helicopter will be flown.

(9) The operator shall ensure that flight crew members demonstrate the ability to speak and understand the language used for radiotelephony communications as specified in Civil Aviation (Personnel Licensing) Regulations.

Compliance by a foreign operator with laws, Regulations and procedures of a state.

5. (1) When the Authority identifies a case of non-compliance or suspected non- compliance by a foreign operator with the laws, Regulations and procedures applicable within Kenya, or a similar serious safety issue with that operator, the Authority shall immediately notify the operator and, if the issue warrants it, the State of the operator.

(2) Where the State of Operator and the State of Registry are different, such notification referred to under subregulation (1) shall also be made to the State of Registry, if the issue falls within the responsibilities of that State and warrants a notification.

(3) In the case of notification to States as specified in subregulation (1) and (2), if the issue and its resolution warrant it, the Authority shall engage in consultations with the State of operator and the State of Registry, as applicable, concerning the safety standards maintained by the operator.

Safety management.

6. (1) An operator of a helicopter of a certified take-off mass in excess of 7 000 kg, or having a passenger seating configuration of more than 9, and fitted with a flight data recorder may establish and maintain a flight data analysis programme as part of its safety management system.

(2) The operator may, with the approval of the Authority, contract the operation of a flight data analysis programme to another party while retaining overall responsibility for the maintenance of such a programme.

(3) A flight data analysis programme shall be non-punitive and contain adequate safeguards to protect the source(s) of the data in accordance with The Civil Aviation (Safety Management) Regulations.

(4) An operator shall not use recordings or transcripts of CVR, CARS, Class A AIR and Class A AIRS for purposes other than the investigation of an accident or incident as per The Civil Aviation

(Aircraft Accident Investigation) Regulations , except where the recordings or transcripts are—

(a) related to a safety-related event identified in the context of a safety management system; are restricted to the relevant portions of a de-identified transcript of the recording; and are subject to the protections accorded by The Civil Aviation (Safety Management) Regulations;

(b) sought for use in criminal proceedings not related to an event involving an accident or incident investigation and are subject to the protections accorded by the Civil Aviation (Safety Management) Regulations; or

(c) used for inspections of flight recorder systems as provided in the Seventh Schedule of the Civil Aviation (Instruments and Equipment) Regulations.

(5) An operator shall not use recordings or transcripts of FDR, ADRS, Class B and C AIR, and Class B and C AIRS for purposes other than the investigation of an accident or incident as per the Civil Aviation(Aircraft Accident Investigation) Regulations, except where the recordings or transcripts are subject to the protections accorded by the Civil Aviation (Safety Management) Regulations and are—

(a) used by the operator for airworthiness or maintenance purposes;

(b) used by the operator in the operation of a flight data analysis programme as provided in these Regulations;

(c) sought for use in proceedings not related to an event involving an accident or incident investigation;

(d) de-identified; or

(e) disclosed under secure procedures.

(6) The operator shall establish a flight safety documents system, for the use and guidance of operational personnel, as part of its safety management system.

Dangerous goods.

7. A person shall not carry dangerous goods on board a helicopter unless the dangerous goods are carried in compliance with the provisions for carriage of dangerous goods contained in Civil Aviation (Air Operator Certification & Administration) Regulations.

Use of Psychoactive substances.

8. (1) A flight crew member shall not perform any function specified in the privileges applicable to his or her licence if he or she is under the influence of any psychoactive substance which may render him or her unable to perform such functions in a safe and proper manner.

(2) A safety-sensitive personnel shall not undertake any of their function while under the influence of any psychoactive substance, by reason of which human performance is impaired.

PART III—FLIGHT OPERATIONS

Operating facilities.

9. (1) The operator shall ensure that a flight will not be commenced unless it has been ascertained by every reasonable means

available that the ground and/or water facilities available and directly required on such flight, for the safe operation of the helicopter and the protection of the passengers, are adequate for the type of operation under which the flight is to be conducted and are adequately operated for this purpose.

(2) The operator shall ensure that any inadequacy of facilities observed in the course of operations is reported to the authority responsible for them, without undue delay.

Operational Certification and Supervision

The air operator certificate.

10. (1) The operator shall not engage in commercial air transport operations unless in possession of a valid Air Service License and a valid Air Operator Certificate issued by the Authority.

(2) The Air Operator Certificate shall authorize the operator to conduct commercial air transport operations in accordance with the operations specifications.

(3) The issue of an Air Operator Certificate by the Authority shall be dependent upon the operator demonstrating an adequate organization, method of control and supervision of flight operations, training programme as well as ground handling and maintenance arrangements consistent with the nature and extent of the operations specified.

(4) The operator shall develop policies and procedures for third parties that perform work on its behalf.

(5) The continued validity of an Air Operator Certificate shall depend upon the operator maintaining the requirements of subregulation (3) under the supervision of the Authority.

(6) The Air Operator Certificate shall contain at least the following information in accordance with the First Schedule of the Civil Aviation (Air Operator Certification and Administration) Regulations—

(a) the State of the Operator and the issuing authority;

(b) the Air Operator Certificate number and its expiration date;

(c) the operator name, trading name (if different) and address of the principal place of business;

(d) the date of issue, name, signature and title of the authority representative; and

(e) the location, in a controlled document carried on board, where the contact details of operational management can be found.

(7) The operations specifications associated with the air operator certificate shall contain at least the information listed in accordance with the Second Schedule of the Civil Aviation (Air Operator Certification and Administration) Regulations.

(8) Air Operator Certificate and the associated Operations Specifications shall follow the layout in accordance with the First and

Second Schedule of the Civil Aviation (Air Operator Certification and Administration) Regulations.

(9) The Operator shall comply with the system for both certification and surveillance in accordance with the Civil Aviation (Air Operator Certification and Administration) Regulations and Civil Aviation (Safety Management) Regulations to ensure that the required standards of operations established are maintained.

Surveillance of operations by a foreign operator.

11. (1) An air Operator Certificate issued by another Contracting State shall be recognized by the Authority provided that the requirements under which the certificate was issued are at least equal to these Regulations.

(2) Foreign operators shall comply with established procedures for the surveillance of operations in Kenya and shall take appropriate action when necessary to preserve safety.

(3) An operator shall meet and maintain the requirements established by the Authority.

Operations manual.

12. (1) An operator shall provide for the use and guidance of operations personnel concerned, an operations manual as prescribed and developed in accordance with the Third Schedule of the Civil Aviation (Air Operator Certification and Administration) Regulations. The Operations Manual shall be amended or revised as is necessary to ensure that the information contained therein is kept up to date. All such amendments or revisions shall be notified to all personnel that are required to use this manual.

(2) An operator shall provide a copy of the operations manual together with all amendments or revisions to the Authority, for review and acceptance and, where required, approval. The operator shall incorporate in the operations manual such mandatory material as the Authority may require.

Operating instructions — General.

13. (1) An operator shall ensure that all operations personnel are properly instructed in their particular duties, responsibilities and the relationship of such duties to the operation as a whole.

(2) A helicopter rotor shall not be turned under power, for the purpose of flight, without a qualified pilot at the controls. The operator shall provide appropriate specific training and procedures to be followed for all personnel, other than qualified pilots, who are likely to carry out the turning of a rotor under power for purposes other than flight.

(3) An operator shall issue operating instructions and provide information on helicopter climb performance with all engines operating to enable the pilot-in- command to determine the climb gradient that can be achieved during the take- off and initial climb phase for the existing take-off conditions and intended take- off technique. This information shall be based on the helicopter manufacturer's data or other data, acceptable to the Authority, and should be included in the operations manual.

In-flight simulation of emergency situations.

14. An operator shall ensure that when passengers or cargo are being carried, no emergency or abnormal situations shall be simulated.

Checklists.

15. The checklists provided in accordance with these Regulations shall be used by flight crews prior to, during and after all phases of operations, and in emergency, to ensure compliance with the operating procedures contained in the helicopter operating manual, the helicopter flight manual or other documents associated with the certificate of airworthiness and otherwise in the operations manual and the design and utilization of checklists shall observe Human Factors principles.

Minimum flight altitudes (operations under IFR).

16. (1) An operator shall be permitted to establish minimum flight altitudes for those routes flown for which minimum flight altitudes have been established by the State flown over or the responsible State, provided that they shall not be less than those established by the Authority of the State, unless specifically approved.

(2) An operator shall specify the method by which the operator intends to determine minimum flight altitudes for operations conducted over routes for which minimum flight altitudes have not been established by the Authority of the State to be flown over, or the responsible State, and shall include this method in the operations manual.

(3) The minimum flight altitudes determined in accordance with subregulation (2) shall not be lower than specified in the Civil Aviation (Rules of the air) Regulations.

(4) The method for establishing the minimum flight altitudes shall be approved by the Authority.

(5)The Operator shall submit to the Authority for approval such method only after careful consideration of the probable effects of the following factors on the safety of the operation in question—

(a) the accuracy and reliability with which the position of the helicopter can be determined;

(b) the inaccuracies in the indications of the altimeters used;

(c) the characteristics of the terrain such as sudden changes in the elevation;

(d) the probability of encountering unfavorable;

(e) meteorological conditions such as severe turbulence and descending air currents;

(f) possible inaccuracies in aeronautical charts; and

(g) airspace restrictions.

Heliport or landing location operating minima.

17. (1) The operator shall establish operating minima for each heliport or landing location to be used in operations and the method of determination of such minima shall be approved by the Authority and such minima shall not be lower than any that may be established for such heliports or landing locations by the Authority, except when specifically approved.

(2) The Operator shall submit to the Authority for approval of operational credit(s) for operations with advanced aircraft. Where the operational credit relates to low visibility operations, the Authority

shall issue a specific approval. Such approvals shall not affect the classification of the instrument approach procedure. Operational credit includes—

(a) for the purposes of an approach ban described in regulation 29(2) or dispatch considerations, a minima below the heliport or landing location operating minima;

(b) reducing or satisfying the visibility requirements; or

(c) requiring fewer ground facilities as compensated for by airborne capabilities.

(3) When establishing operational credits for a specific approval, the Operator shall ensure that—

(a) the aircraft meets the appropriate airworthiness certification requirements;

(b) the information necessary to support effective crew tasks for the operation is appropriately available to both pilots where the number of flight crew members specified in the operations manual is more than one;

(c) a safety risk assessment of the operations supported by the equipment has been carried out;

(d) there are established and documented normal and abnormal procedures and MEL;

(e) a training programme has been established for the flight crew members and relevant personnel involved in the flight preparation;

(f) a system for data collection, evaluation and trend monitoring for low visibility operations for which there is an operational credit has been established; and

(g) appropriate procedures in respect of continuing airworthiness (maintenance and repair) practices and programmes have been instituted.

(4) For operations with operational credit with minima above those related to low visibility operations, the operator shall establish a criteria for the safe operation of the aircraft for approval by the Authority.

(5)The Operator shall ensure that in establishing the operating minima for each heliport or landing location which will apply to any particular operation, full account shall be taken of—

(a) the type, performance and handling characteristics of the helicopter and any conditions or limitations stated in the flight manual;

(b) the composition of the flight crew, their competence and experience;

(c) the physical characteristics of the heliport, and direction of approach;

(d) the adequacy and performance of the available visual and non-visual ground aids;

(e) the equipment available on the helicopter for the purpose of navigation, acquisition of visual references and/or control of the flight path during the approach, landing and missed approach;

(f) the obstacles in the approach and missed approach areas and the obstacle clearance altitude/height for the instrument approach procedures;

(g) means used to determine and report meteorological conditions;

(h) the obstacles in the climb-out areas and necessary clearance margins;

(i) the conditions prescribed in the operations specifications; and

(j) any minima that may be promulgated by the State of the Aerodrome.

(6)Instrument approach operations shall be classified based on the designed lowest operating minima below which an approach operation shall only be continued with the required visual reference as follows—

(a) Type A: a minimum descent height or decision height at or above 75 m (250 ft); and

(b) Type B: a decision height below 75 m (250 ft). Type B instrument approach operations are categorized as—

(i) Category I (CAT I): a decision height not lower than 60 m (200 ft) and with either a visibility not less than 800 m or a runway visual range not less than 550 m;

(ii) Category II (CAT II): a decision height lower than 60 m (200 ft), but not lower than 30 m (100 ft) and a runway visual range not less than 300 m; and

(iii) Category III (CAT III): a decision height lower than 30 m (100 ft) or no decision height and a runway visual range less than 300 m or no runway visual range limitations.

(7)A person shall not carry out instrument approach operations in low visibility without a specific approval issued by the Authority and RVR information is provided.

(8) A person shall not take-off in low visibility, without a specific approval issued by the Authority for the minimum take-off RVR.

(9)For instrument approach operations, heliport or landing location operating minima below 800 m visibility should not be authorized unless RVR information or an accurate measurement or observation of visibility is provided.

(10) The operating minima for 2D instrument approach operations using instrument approach procedures shall be determined by establishing a minimum descent altitude (MDA) or minimum descent height (MDH), minimum visibility and, if necessary, cloud conditions.

(11) The operating minima for 3D instrument approach operations using instrument approach procedures shall be determined by establishing a decision altitude (DA) or decision height (DH) and the minimum visibility or RVR.

Fuel and oil records.

18. (1) An operator shall maintain fuel and oil records to enable the Authority to ascertain that, for each flight, the requirements of Regulation 26 have been complied with.

(2) Fuel and oil records shall be retained by the operator for a period of three months.

Crew.

19. For each flight, the operator shall designate one pilot to act as pilot-in- command.

Passengers.

20. (1) The Operator shall ensure that passengers are made familiar with the location and use of—

(a) seat belts or harnesses;

(b) emergency exits;

(c) life jackets, if the carriage of life jackets is prescribed;

(d) oxygen dispensing equipment, if the provision of oxygen for the use of passengers is prescribed; and

(e) other emergency equipment provided for individual use, including passenger emergency briefing cards.

(2)The operator shall ensure that the passengers are informed of the location and general manner of use of the principal emergency equipment carried for collective use.

(3)The operator shall ensure that in an emergency during flight, passengers are instructed in such emergency action as may be appropriate to the circumstances.

(4)The operator shall ensure that, during take-off and landing and whenever considered necessary by reason of turbulence or any emergency occurring during flight, all passengers on board a helicopter shall be secured in their seats by means of the seat belts or harnesses provided.

Over-water flights.

21. A person shall not operate a helicopter on flights over water in a hostile environment in accordance with the Civil Aviation (Instruments and Equipment) Regulations unless the helicopter is certificated for ditching. Sea state shall be an integral part of ditching information.

Flight preparation.

22. (1) The pilot in command shall not commence a flight, or series of flights, until flight preparation forms have been completed certifying that the pilot-in- command is satisfied that—

(a) the helicopter is airworthy;

(b) the instruments and equipment prescribed in the Civil Aviation (Instruments and Equipment) Regulations, for the particular type of operation to be undertaken, are installed and are sufficient for the flight;

(c) a maintenance release has been issued in respect of the helicopter;

(d) the mass of the helicopter and centre of gravity location are such that the flight can be conducted safely, taking into account the flight conditions expected;

(e) any load carried is properly distributed and safely secured;

(f) a check has been completed indicating that the operating limitations of Part IV of these regulations can be complied with for the flight to be undertaken; and

(g) the Standards of Regulation 23 relating to operational flight planning have been complied with.

(2) Completed flight preparation forms shall be kept by the operator for a period of three months.

Operational flight planning.

23. (1) A person shall not commence a flight in a helicopter unless there is an operational flight plan completed for every intended flight or series of flights, and approved by the pilot-in-command, and shall be lodged with the appropriate authority. The operator shall determine the most efficient means of lodging the operational flight plan.

(2) The operations manual shall describe the content and use of the operational flight plan.

Alternate heliports.

24. (1) A person shall not commence a flight unless a take-off alternate heliport is selected and specified in the operational flight plan if the weather conditions at the heliport of departure are at or below the applicable heliport operating minima.

(2) A person shall not commence a flight unless the information available for the heliport to be selected as a take-off alternate indicates that, at the estimated time of use, the conditions will be at or above the heliport operating minima for that operation.

(3) For a flight to be conducted in accordance with IFR, at least one destination alternate shall be specified in the operational flight plan and the flight plan, unless—

(a) the duration of the flight and the meteorological conditions prevailing are such that there is reasonable certainty that, at the estimated time of arrival at the heliport of intended landing, and for a reasonable period before and after such time, the approach and landing may be made under visual meteorological conditions as prescribed by the Authority; or

(b) the heliport of intended landing is isolated and no alternate is available. A point of no return (PNR) shall be determined.

(4)For a heliport to be selected as a destination alternate, the available information shall indicate that, at the estimated time of use, the conditions will be at or above the heliport operating minima for that operation.

(5) For a flight departing to a destination which is forecast to be below the heliport operating minima, two destination alternates should be selected and the first destination alternate should be at or above the heliport operating minima for destination and the second at or above the heliport operating minima for alternate.

(6) An Operator shall not select an offshore destination alternate heliport for operational use without a specific approval issued by the Authority.

(7) A helideck may be specified as an offshore destination alternate heliport when the closest onshore destination alternate is not within achievable range of the helicopter. Specification is subject to the following conditions—

(a) a helideck shall only be used as an offshore destination alternate heliport after the PNR and when an onshore aerodrome is not geographically available. Prior to the PNR, an onshore destination alternate aerodrome shall be used;

(b) the operator shall have a risk assessment process detailed in the operations manual for the utilization of helidecks as offshore destination alternate heliports and conduct such an assessment prior to their selection and use;

(c) the operator has established specific procedures and appropriate training programmes in the operations manual for offshore destination alternate heliport operations;

(d) the operator shall have pre-surveyed, and assessed for suitability, any helideck intended to be used as an offshore destination alternate heliport and have the information published in an appropriate form in the operations manual (including the orientation of the helideck);

(e) the helicopter shall have a one-engine- inoperative (OEI) landing capability at the offshore destination alternate heliport; and

(f) the MEL shall contain specific provisions for this type of operation.

(8) The use of an offshore destination alternate heliport should be restricted to helicopters which can achieve One Engine Inoperative (OEI) in ground effect (IGE) hover at an appropriate power rating at the offshore destination alternate heliport.

(9) Where the surface of the helideck, or prevailing conditions (especially wind velocity), precludes an OEI IGE, OEI out of ground effect (OGE) hover performance at an appropriate power rating should be used to compute the landing mass.

(10) The landing mass should be calculated from graphs provided in the operations manual. When calculating this landing mass, due account should be taken of helicopter configuration, environmental conditions and the operation of systems that have an adverse effect on performance.

(11) The planned landing mass of the helicopter, including crew, passengers, baggage, cargo and 30 minutes final reserve fuel, should not exceed the OEI landing mass at the time of approach to the offshore destination alternate heliport.

(12) The operator's risk assessment process shall take into consideration at least the following—

(a) the type and circumstances of the operation;

(b) the area over which the operation is being conducted, including sea conditions, survivability and search and rescue facilities;

(c) the availability and suitability of the helideck for use as an offshore destination alternate heliport, including the physical characteristics, dimensions, configuration and obstacle clearance, the effect of wind direction and strength, and turbulence;

(d) the type of helicopter(s) being used;

(e) mechanical reliability of the helicopter engines and critical control systems and components;

(f) the training and operational procedures, including mitigation of the consequences of helicopter technical failures;

(g) specific mitigation measures;

(h) helicopter equipment;

(i) spare payload capacity for the carriage of additional fuel;

(j) weather minima, taking into account the accuracy and reliability of meteorological information; and

(k) communications and aircraft tracking facilities.

(13) Training programmes should ensure that the requirements of Regulation 67(2) are complied with, such as, but not limited to, route qualification, flight preparation, concept of operations with offshore destination alternate heliports and criteria for their use. Training programme refers to the training for pilots and other relevant personnel such as required, meteorological observers and helideck personnel involved in such operations.

(14) When the use of an offshore destination alternate heliport is planned, the meteorological observations, both at the offshore destination and the offshore destination alternate heliports, should be taken by an observer acceptable to the designated meteorological authority.

(15) Offshore destination alternate heliports should not be used for payload enhancement.

(16) To demonstrate the mechanical reliability of critical control systems and critical components of the helicopter, the operator should install and utilize a health and usage monitoring system with tailored criteria for this type of operation.

(17) The heliport operating minima for the offshore destination and offshore destination alternate heliport required under Regulation 17(3) shall make due allowance for the availability and reliability of weather information and the geographic environment.

(18) The operator shall specify cloud ceiling and visibility criteria relevant to the helideck elevation and location.

(19) To use an offshore destination alternate helideck, it shall be ensured that, within 60 NM of the destination helideck and alternate helideck, fog is not present nor forecasted during the period commencing one hour before and ending one hour after the expected time of arrival at the offshore destination or offshore destination alternate helideck.

(20) An offshore destination alternate heliport/helideck should be more than 30 NM from the original destination to reduce the likelihood of a localized weather event precluding landings at both the offshore destination and the offshore destination alternate heliport/helideck.

(21) The operator shall ensure that, before passing the PNR, the following actions have been completed—

(a) confirmation that navigation to the offshore destination and offshore destination alternate heliport is assured;

(b) radio contact with the offshore destination and offshore destination alternate heliport (or master station) is established;

(c) the landing forecast at the offshore destination and offshore destination alternate heliport are obtained and confirmed to be at or above the required minima;

(d) the requirements for OEI landing are verified against the latest reported weather conditions to ensure that they can be met; and

(e) to the extent possible, having considered information on current and forecast use of the offshore destination alternate heliport, and on conditions prevailing, the availability of the offshore destination alternate heliport will be guaranteed by the helideck provider until the landing at the offshore destination, or the offshore destination alternate heliport, is achieved.

Meteorological conditions.

25. (1) A person shall not commence a VFR flight unless current meteorological reports or a combination of current reports and forecasts indicate that the meteorological conditions along the route or

that part of the route to be flown or in the intended area of operations under VFR will, at the appropriate time, be such as to enable compliance with these rules.

(2) A person shall not commence an IFR flight unless information is available which indicates that conditions at the destination heliport or landing location or, when an alternate is required, at least one alternate heliport will, at the estimated time of arrival, be at or above the heliport operating minima.

(3) To ensure that an adequate margin of safety is observed in determining whether or not an approach and landing can be safely carried out at each alternate heliport or landing location, the operator shall specify appropriate incremental values for height of cloud base and visibility, acceptable to the Authority, to be added to the operator's established heliport or landing location operating minima.

(4) A person shall not commence a flight to be operated in known or expected icing conditions unless the helicopter is certificated and equipped to cope with such conditions.

(5) A person shall not commence a flight expected to operate in suspected or known ground icing conditions unless the helicopter has been inspected for icing and, if necessary, has been given appropriate de-icing or anti-icing treatment. Accumulation of ice or other naturally occurring contaminants shall be removed so that the helicopter is kept in an airworthy condition prior to take-off.

Fuel and oil requirements.

26. (1) A person shall not commence a helicopter flight unless, taking into account both the meteorological conditions and any delays that are expected in flight, the helicopter carries sufficient fuel and oil to ensure that it can safely complete the flight. In addition, a reserve shall be carried to provide for contingencies.

(2) The fuel and oil carried in order to comply with subregulation (1) shall, in the case of VFR operations, be at least the amount to allow the helicopter to—

(a) fly to the landing site to which the flight is planned;

(b) have final reserve fuel to fly thereafter for a period of 20 minutes at best-range speed; and

(c) have an additional amount of fuel to provide for the increased consumption on the occurrence of any of the potential contingencies specified by the operator to the satisfaction of the Authority.

(3)The fuel and oil carried in order to comply with subregulation (1) shall, in the case of IFR operations, be at least the amount to allow the helicopter—

(a) when an alternate is not required, in terms of subregulation (2)(a), to fly to and execute an approach at the heliport or landing location to which the flight is planned, and thereafter to have—

(i) final reserve fuel to fly 30 minutes at holding speed at 450 m (1 500 ft) above the destination heliport or landing location under standard temperature conditions and approach and land; and

(ii) an additional amount of fuel to provide for the increased consumption on the occurrence of any of the potential contingencies specified by the operator to the satisfaction of the Authority;

(b) when an alternate is required, to fly to and execute an approach, and a missed approach, at the heliport or landing location to which the flight is planned, and thereafter—

(i) fly to and execute an approach at the alternate specified in the flight plan;

(ii) have final reserve fuel to fly for 30 minutes at holding speed at 450 m (1 500 ft) above the alternate under standard temperature conditions, and approach and land; and

(iii) have an additional amount of fuel to provide for the increased consumption on the occurrence of any of the potential contingencies specified by the operator to the satisfaction of the Authority;

(c) when no alternate heliport or landing location is available, in terms of Regulation 24(3) in circumstances including when the destination is isolated, sufficient fuel shall be carried to enable the helicopter to fly to the destination to which the flight is planned and thereafter for a period that will, based on geographic and environmental considerations, enable a safe landing to be made.

(4)In computing the fuel and oil required in subregulation (1), at least the following shall be considered—

(a) meteorological conditions forecast;

(b) expected air traffic control routings and traffic delays;

(c) for IFR flight, one instrument approach at the destination heliport, including a missed approach;

(d) the procedures prescribed in the operations manual for loss of pressurization, where applicable, or failure of one engine while en-route; and

(e) any other conditions that may delay the landing of the helicopter or increase fuel or oil consumption.

(5)The use of fuel after flight commencement for purposes other than originally intended during pre-flight planning shall require a re-analysis and, if applicable, adjustment of the planned operation.

Refuelling with passengers on board or rotors turning.

27. (1) A person shall not refuel when rotors are stopped or turning a helicopter when passengers are embarking, disembarking or when oxygen is being replenished.

(2) When the helicopter is refueled with passengers on board, rotors stopped or turning, it shall be properly attended by sufficient qualified personnel, ready to initiate and direct an evacuation of the helicopter by the most practical, safe and expeditious means available. In order to achieve this—

(a) the flight crew shall ensure that the passengers are briefed on what actions to take if an incident occurs during refueling;

(b) a constant two-way communication shall be maintained by the helicopter's intercommunication system or other suitable means between the ground crew supervising the refueling and the qualified personnel on board the helicopter; and

(c)during an emergency shutdown procedure, the flight crew shall ensure that any personnel or passengers outside the helicopter are clear of the rotor area.

(3)The operator shall establish procedures and specify conditions under which such refueling may be carried out.

(4)Subject to subregulation (2), operational procedures should specify that at least the following precautions are taken—

(a) doors on the refueling side of the helicopter remain closed where possible, unless these are the only suitable exits;

(b) doors on the non-refueling side of the helicopter remain open, weather permitting, unless otherwise specified by the RFM;

(c) fire-fighting facilities of the appropriate scale be positioned so as to be immediately available in the event of a fire;

(d) if the presence of fuel vapour is detected inside the helicopter, or any other hazard arises during refueling, fueling be stopped immediately;

(e) the ground or deck area beneath the exits intended for emergency evacuation be kept clear;

(f) seat belts should be unfastened to facilitate rapid egress; and

(g) with rotors turning, only ongoing passengers should remain on board.

(5) A person shall not refuel a helicopter with AVGAS (aviation gasoline) or wide-cut type fuel or a mixture of these types of fuel, when passengers are on board.

(6) A person shall not defuel a helicopter at any time when—

(a) passengers remain on board; or

(b) passengers are embarking or disembarking; or

(c) oxygen is being replenished.

(7) Additional precautions are required when refueling with fuels other than aviation kerosene or when refueling results in a mixture of aviation kerosene with other aviation turbine fuels, or when an open line is used.

Oxygen supply.

28. (1) Approximate altitudes in the Standard Atmosphere corresponding to the values of absolute pressure used in the text are as follows—

Absolute pressure	Metres	Feet
700 hPa	3 000	10 000
620 hPa	4 000	13 000
376 hpa	7600	25 000

(2) A person shall not operate at flight altitudes at which the atmospheric pressure in personnel compartments will be less than 700 hPa unless sufficient stored breathing oxygen is carried to supply—

(a) all crew members and 10 per cent of the passengers for any period in excess of 30 minutes that the pressure in compartments occupied by them will be between 700 hPa and 620 hPa; and

(b) the crew and passengers for any period that the atmospheric pressure in compartments occupied by them will be less than 620 hPa.

(3) A flight to be operated with a pressurized helicopter shall not be commenced unless a sufficient quantity of stored breathing oxygen is carried to supply all the crew members and passengers, as is appropriate to the circumstances of the flight being undertaken, in the event of loss of pressurization, for any period that the atmospheric pressure in any compartment occupied by them would be less than 700 hPa. and in addition, when the helicopter is operated at flight altitudes at which the atmospheric pressure is more than 376 hPa and cannot descend safely to a flight altitude at which the atmospheric pressure is equal to 620 hPa within four minutes, there shall be no less than a 10-minute supply for the occupants of the passenger compartment.

In-Flight Procedures

Heliport operating minima.

29. (1) A flight shall not be continued towards the heliport of intended landing, unless the latest available information indicates that at the expected time of arrival, a landing can be effected at that heliport, or at least one destination alternate heliport, in compliance with the operating minima established in accordance with regulation 17.

(2) An instrument approach shall not be continued below 300 m (1 000 ft) above the heliport elevation or into the final approach segment unless the reported visibility or controlling RVR is at or above the heliport operating minima.

(3) If, after entering the final approach segment or after descending below 300 m (1 000 ft) above the heliport elevation, the

reported visibility or controlling RVR falls below the specified minimum, the approach may be continued to DA/H or MDA/H and in any case, a helicopter shall not continue its approach-to-land at any heliport beyond a point at which the limits of the operating minima specified for that heliport would be infringed.

Meteorological observations.

30. The procedures for making meteorological observations on board aircraft in flight and for recording and reporting them as provided in the Civil Aviation (Meteorology Services for Air Navigation) Regulations.

Hazardous flight conditions.

31. Hazardous flight conditions encountered, other than those associated with meteorological conditions, shall be reported to the appropriate aeronautical station as soon as possible. The reports so rendered shall give such details as may be pertinent to the safety of other aircraft.

Flight crew members at duty stations.

32. (1) Take-off and landing. All flight crew members required to be on flight deck duty shall be at their stations.

(2) En-route. All flight crew members required to be on flight deck duty shall remain at their stations except when their absence is necessary for the performance of duties in connection with the operation of the helicopter or for physiological needs.

(3) Seat belts. All flight crew members shall keep their seat belt fastened when at their stations.

(4)Safety harness. Any flight crew member occupying a pilot's seat shall keep the safety harness fastened during the take-off and landing phases and all other flight crew members shall keep their safety harness fastened during the take-off and landing phases unless the shoulder straps interfere with the performance of their duties, in which case the shoulder straps may be unfastened but the seat belt must remain fastened.

(5) Safety harness includes shoulder straps and a seat belt which may be used independently.

Use of oxygen.

33. All flight crew members, when engaged in performing duties essential to the safe operation of a helicopter in flight, shall use breathing oxygen continuously whenever the circumstances prevail for which its supply has been required in Regulations 28.

Safeguarding of cabin crew and passengers in pressurized helicopter in the event of loss of pressurization.

34. (1) Cabin crew shall be safeguarded so as to ensure reasonable probability of their retaining consciousness during any emergency descent which may be necessary in the event of loss of pressurization and, in addition, they shall have such means of protection as will enable them to administer first aid to passengers during stabilized flight following the emergency and passengers shall be safeguarded by such devices or operational procedures as will ensure reasonable probability of their surviving the effects of hypoxia in the event of loss of pressurization.

(2) It is not envisaged that cabin crew will always be able to provide assistance to passengers during emergency descent procedures which may be required in the event of loss of pressurization.

Instrument flight procedures.

35. (1) One or more instrument approach procedures to serve each final approach and take-off area or heliport utilized for instrument flight operations shall be approved and promulgated by the State in which the heliport is located, or by the State which is responsible for the heliport when located outside the territory of any State.

(2) All helicopters operated in accordance with IFR shall comply with the instrument approach procedures approved by the State in which the heliport is located, or by the State which is responsible for the heliport when located outside the territory of any State.

Helicopter operating procedures for noise abatement.

36. The operator shall ensure that take-off and landing procedures take into account the need to minimize the effect of helicopter noise.

In-flight fuel management.

37. (1) The operator shall establish policies and procedures, approved by the Authority, to ensure that in-flight fuel checks and fuel management are performed.

(2) The pilot-in-command shall monitor the amount of usable fuel remaining on board to ensure it is not less than the fuel required to proceed to a landing site where a safe landing can be made with the planned final reserve fuel remaining.

(3) The pilot-in-command shall advise ATC of a minimum fuel state by declaring MINIMUM FUEL when, having committed to land at a specific landing site, the pilot calculates that any change to the existing clearance to that landing site, or other air traffic delays, may result in landing with less than the planned final reserve fuel.

(4) The pilot-in-command shall declare a situation of fuel emergency by broadcasting MAYDAY MAYDAY MAYDAY FUEL, when the usable fuel estimated to be available upon landing at the nearest landing site where a safe landing can be made is less than the required final reserve fuel in compliance with Regulation 26.

Duties of pilot-in-command.

38. (1) The pilot-in-command shall be responsible for the operation and safety of the helicopter and for the safety of all crew members, passengers and cargo on board, from the moment the engine(s) are started until the helicopter finally comes to rest at the end of the flight, with the engine(s) shut down and the rotor blades stopped.

(2) The pilot-in-command shall ensure that the checklists specified in Regulation 15 are complied with in detail.

(3) The pilot-in-command shall be responsible for notifying the nearest appropriate authority by the quickest available means of any accident involving the helicopter, resulting in serious injury or death of any person or substantial damage to the helicopter or property.

(4) The pilot-in-command shall be responsible for reporting all known or suspected defects in the helicopter, to the operator, at the termination of the flight.

(5) The pilot-in-command shall be responsible for the journey log book or the general declaration containing the information listed in the Civil Aviation (Air Operator Certification and Administration) Regulations, regulation 33.

Duties of flight operations officer/flight dispatcher.

39. (1) A flight operations officer or flight dispatcher in conjunction with a method of control and supervision of flight operations in accordance with regulation 10(3) shall—

(a) assist the pilot-in-command in flight preparation and provide the relevant information;

(b) assist the pilot-in-command in preparing the operational and ATS flight plans, sign when applicable and file the ATS flight plan with the appropriate ATS unit; and

(c) furnish the pilot-in-command while in flight, by appropriate means, with information which may be necessary for the safe conduct of the flight.

(2) In the event of an emergency, a flight operations officer/flight dispatcher shall—

(a) initiate such procedures as outlined in the operations manual while avoiding taking any action that would conflict with ATC procedures; and

(b) convey safety-related information to the pilot-in-command that may be necessary for the safe conduct of the flight, including information related to any amendments to the flight plan that become necessary in the course of the flight.

Carry-on baggage.

40. The operator shall ensure that all baggage carried onto a helicopter and taken into the passenger cabin is adequately and securely stowed.

Commercial air ambulance operations

41. An operator shall not conduct commercial air ambulance operations unless as prescribed and approved by the Authority.

PART IV—HELICOPTER PERFORMANCE OPERATING LIMITATIONS

General provisions.

42. (1) Helicopters shall be operated in accordance with a code of performance specified by the Authority, in compliance with the applicable Standards of this Part.

(2) The code of performance reflects, for the conduct of operations, both the various phases of flight and the operational environment.

(3) In conditions where the safe continuation of flight is not ensured in the event of a critical engine failure, helicopter operations shall be conducted in conditions of weather and light, and over such routes and diversions that permit a safe forced landing to be executed.

(4) Notwithstanding the provisions of subregulation (3), the Authority may, based on the result of a risk assessment, allow for variations without a safe forced landing to be included in the Code of Performance established in accordance with the provisions of subregulation (1).

(5) The risk assessment specified in subregulation (4) shall take into consideration at least the following—

(a) the type and circumstances of the operation;

(b) the area/terrain over which the operation is being conducted;

(c) the probability of, and length of exposure to, a critical engine failure and the tolerability of such an event;

(d) the procedures and systems for monitoring and maintaining the reliability of the engine(s);

(e) the training and operational procedures to mitigate the consequences of the critical engine failure; and

(f) helicopter equipment.

(6) Where the Authority permits IMC operations in performance Class 3, such operations shall be conducted in accordance with the provisions of regulations 46.

Applicable to helicopters certificated in accordance with Civil Aviation (Airworthiness) Regulations.

43. (1) The Standards contained in subregulation (2) to (7) are applicable to helicopters to which application for certification was submitted after 22nd March 1991.

(2) The level of performance defined by the appropriate parts of the code of performance referred to regulation 42(1) for helicopters referred to in regulation 43(1) for the helicopters shall be consistent with the overall level embodied in the Standards of this Part.

(3) A person shall not operate helicopter unless it is operated in compliance with the terms of its certificate of airworthiness and within the approved operating limitations contained in its flight manual.

(4)The Operator shall ensure that the general level of safety contemplated by these provisions is maintained under all expected operating conditions, including those not covered specifically by the provisions of this Part.

(5)A flight shall not be commenced unless the performance information provided in the flight manual indicates that the requirements of subregulation (6) and subregulation (7) can be complied with for the flight to be undertaken.

(6)The operator in complying with these regulations shall take into account factors that significantly affect the performance of the helicopter including the following—

(a) mass;

(b) operating procedures;

(c) the pressure-altitude appropriate to the elevation of the operating site;

(d) temperature; and

(e) wind and condition of the surface.

(7) The factors specified in sub- regulation (6) shall be taken into account directly as operational parameters or indirectly by means

of allowances or margins, provided in the scheduling of performance data or in accordance with performance requirements of regulation 41(1) with which the helicopter is being operated.

Mass limitations.

44. (1) The mass of the helicopter at the start of take-off shall not exceed the mass at which the code of performance referred to in regulation 42(1) is complied with, allowing for expected reductions in mass as the flight proceeds and for such fuel jettisoning as is appropriate.

(2) In no case shall the mass at the start of take-off exceed the maximum take- off mass specified in the helicopter flight manual taking into account the factors specified in regulation 43 (6) and 43(7).

(3) In no case shall the estimated mass for the expected time of landing at the destination and at any alternate exceed the maximum landing mass specified in the helicopter flight manual taking into account the factors specified in regulation 43(6) and 43(7).

(4) In no case shall the mass at the start of take-off, or at the expected time of landing at the destination and at any alternate, exceed the relevant maximum mass at which compliance has been demonstrated with the applicable noise certification regulations in Civil Aviation (Airworthiness) Regulations unless otherwise authorized in exceptional circumstances for a certain operating site where there is no noise disturbance problem, by the competent authority of the State in which the operating site is situated.

(5) Take-off and initial climb phase—

(a) operations in performance Class 1. The helicopter shall be able, in the event of the failure of the critical engine being recognized at or before the take-off decision point, to discontinue the take-off and stop within the rejected take-off area available or, in the event of the failure of the critical engine being recognized at or after the take-off decision point, to continue the take-off, clearing all obstacles along the flight path by an adequate margin until the helicopter is in a position to comply with provisions of subregulation (6)(a);

(b) operations in performance Class 2. The helicopter shall be able, in the event of the failure of the critical engine at any time after reaching DPATO, to continue the take-off, clearing all obstacles along the flight path by an adequate margin until the helicopter is in a position to comply with 6(a). Before the DPATO, failure of the critical engine may cause the helicopter to force-land; therefore, the conditions stated in Regulation 42(3) shall apply; and

(c) operations in performance Class 3. At any point of the flight path, failure of an engine will cause the helicopter to force-land; therefore the conditions stated in regulation 42 (3) shall apply.

(6) En-route phase—

(a) operations in performance Classes 1 and 2. The helicopter shall be able, in the event of the failure of the critical engine at any point in the en-route phase, to continue the flight to a site at which the conditions of subregulation (7)(a) for operations in performance Class 1, or the conditions of subregulation (7)(b) for operations in performance Class 2 can be met, without flying below the appropriate minimum flight altitude at any point;

(b) operations in performance Class 3. The helicopter shall be able, with all engines operating, to continue along its intended route or planned diversions without flying at any point below the appropriate minimum flight altitude and at any point of the flight path, failure of an engine will cause the helicopter to force-land; therefore the conditions stated in regulation 42(3) shall apply.

(7) Approach and landing phase—

(a) operations in performance Class 1. In the event of the failure of the critical engine being recognized at any point during the approach and landing phase, before the landing decision point, the helicopter shall, at the destination and at any alternate, after clearing all obstacles in the approach path, be able to land and stop within the landing distance available or to perform a balked landing and clear all obstacles in the flight path by an adequate margin equivalent to that specified in subregulation (6)(a) and in case of the failure occurring after the landing decision point, the helicopter shall be able to land and stop within the landing distance available;

(b) operations in performance Class 2. In the event of the failure of the critical engine before the DPBL, the helicopter shall, at the destination and at any alternate, after clearing all obstacles in the approach path, be able either to land and stop within the landing distance available or to perform a balked landing and clear all obstacles in the flight path by an adequate margin equivalent to that specified in subregulation (6)(b) and after the DPBL, failure of an engine may cause the helicopter to force-land; therefore the conditions stated in regulation 42(3 shall apply;

(c) operations in performance Class 3. At any point of the flight path, failure of an engine will cause the helicopter to force-land; therefore the conditions stated in regulation 42 (3) shall apply.

Obstacle data.

45. The operator shall use available obstacle data to develop procedures to comply with the take-off, initial climb, approach and landing phases detailed in the code of performance.

Additional requirements for operations of helicopters in performance class 3 in IMC, except special VFR flights.

46. (1) Operations in performance Class 3 in IMC shall be conducted only over a surface environment acceptable to the competent authority of the State over which the operations are performed

(2) The Operator shall ensure that helicopters operating in performance Class 3 in IMC, are certificated for flight under IFR and that the overall level of safety intended by the provisions of this regulation and Civil Aviation (Airworthiness) Regulations is provided by—

(a) the reliability of the engines;

(b) the operator's maintenance procedures, operating practices and crew training programmes; and

(c) equipment and other requirements provided in accordance with the provisions of the Civil Aviation (Instruments and Equipment) Regulations.

(3) Operators of helicopters operating in performance Class 3 in IMC shall have a programme for engine trend monitoring and shall utilize the engine and helicopter manufacturers' recommended instruments, systems and operational or maintenance procedures to monitor the engines.

(4) In order to minimize the occurrence of mechanical failures, helicopters operating in IMC in performance Class 3 should utilize vibration health monitoring for the tail-rotor drive system.

PART V—HELICOPTER MAINTENANCE

Operator's Maintenance Responsibilities.

47. (1) An operator shall ensure that in accordance with the procedures acceptable to the Authority—

(a) each helicopter operated is maintained in an airworthy condition;

(b) the operational and emergency equipment necessary for the intended flight is serviceable; and

(c) the certificate of airworthiness of the helicopter operated remains valid.

(2) The operator shall not operate a helicopter unless maintenance on the helicopter, including any associated engine, rotor and part, is carried out by—

(a) an organization complying with the Civil Aviation (Approved Maintenance Organization) Regulations that is either approved by the Authority or is approved by another Contracting State and is acceptable by the Authority; or

(b) a qualified person or organization in accordance with procedures that are authorized by the Authority; and

(c) there is a maintenance release in relation to the maintenance carried out.

(3) The operator shall employ a qualified person or group of persons to ensure that all maintenance is carried out in accordance with the maintenance control manual.

(4) The operator shall ensure that the maintenance of its helicopters is performed in accordance with the maintenance programme approved by the Authority.

Maintenance Control Manual.

48. (1) An operator shall provide, for the use and guidance of maintenance and operational personnel concerned, a maintenance control manual, acceptable to the Authority in accordance with the requirements of regulation96, and the design of the manual shall observe Human Factors principles.

(2) The operator shall ensure that the maintenance control manual is amended as necessary to keep the information contained therein up to date.

(3) Copies of all amendments to the operator's maintenance control manual shall be furnished promptly to all organizations or persons to whom the manual has been issued.

(4) The operator shall provide the Authority and the State of Registry with a copy of the operator's maintenance control manual, together with all amendments or revisions to it and shall incorporate in it such mandatory material as the Authority or the State of Registry may require.

Maintenance Programme.

49. (1) An operator shall provide, for the use and guidance of maintenance and operational personnel concerned, a maintenance programme, approved by the Authority containing the information required in regulation 97.

(2) The operator shall ensure that the design and application of the operator's maintenance programme observes Human Factors principles.

(3) Copies of all amendments to the maintenance programme shall be furnished promptly to all organizations or persons to whom the maintenance programme has been issued.

Maintenance Records.

50. (1) The operator shall ensure that the following records are kept for the periods specified in subregulation (2)—

(a) the total time in service such as hours, calendar time and cycles, as appropriate of the helicopter and all life-limited components;

(b) the current status of compliance with all mandatory continuing airworthiness information;

(c) appropriate details of modifications and repairs to the helicopter and its major components;

(d) the time in service hours, calendar time and cycles, as appropriate since last overhaul of the helicopter or its components subject to a mandatory overhaul life;

(e) the current status of the helicopter's compliance with the maintenance programme; and

(f) the detailed maintenance records to show that all requirements for a maintenance release have been met.

(2) The records in (a) to (e) of subregulation (1) shall be kept for a minimum period of 90 days after the unit to which they refer has been

permanently withdrawn from service, and the records in subregulation (1)(f) for a minimum period of one year after the signing of the maintenance release.

(3)In the event of a temporary change of operator, the records shall be made available to the new operator, and in the event of any permanent change of operator, the records shall be transferred to the new operator.

(4)Records kept and transferred in accordance with this Regulation shall be maintained in a form and format that ensures readability, security and integrity of the records at all times. The form and format of the records may include—

(a) paper records;

(b) film records;

(c) electronic records; or

(d) any combination thereof.

Continuing Airworthiness Information.

51. (1) The operator of a helicopter over 3 175 kg maximum mass shall monitor and assess maintenance and operational experience with respect to continuing airworthiness and provide the information as prescribed by the State of Registry and report through the system specified in the Civil Aviation (Airworthiness) Regulations, regulation 23.

(2) The operator of a helicopter over 3 175 kg maximum mass shall obtain and assess continuing airworthiness information and recommendations available from the organization responsible for the type design and shall implement resulting actions considered necessary in accordance with a procedure acceptable to the Authority.

Modifications and Repairs.

52. (1) The operator shall ensure that all modifications and repairs comply with airworthiness requirements acceptable to the Authority.

(2) The operator shall establish Procedures to ensure that the substantiating data supporting compliance with the airworthiness requirements are retained.

Maintenance Release.

53. (1) When maintenance is carried out by an approved maintenance organization, the maintenance release shall be issued by the approved maintenance organization in accordance with the Civil Aviation (Airworthiness) Regulations, regulation 39.

(2) when maintenance is not carried out by an approved maintenance organization, the maintenance release shall be completed and signed by a person appropriately licensed in accordance with the Civil aviation (Personnel licensing) Regulations to certify that the maintenance work performed has been completed satisfactorily and in accordance with approved data and the procedures acceptable to the Authority.

(3) when maintenance is not carried out by an approved maintenance organization, the maintenance release shall include the following—

(a) basic details of the maintenance carried out including detailed reference of the approved data used;

(b) the date such maintenance was completed;

(c) the identity of the qualified person or persons signing the release; and

(d) the identity of the qualified person or persons signing the release.

Records.

54. (1) The operator shall ensure that the following records are kept—

(a) in respect of the entire helicopter: the total time in service;

(b) in respect of the major components of the helicopter—

(i) the total time in service;

(ii) the date of the last overhaul;

(iii) the date of the last inspection;

(c) in respect of those instruments and equipment, the serviceability and operating life of which are determined by their time in service—

(i) such records of the time in service as are necessary to determine their serviceability or to compute their operating life;

(ii) the date of the last inspection.

(2) The records specified in subregulation (1) shall be kept for a period of 90 days after the end of the operating life of the unit to which they refer.

PART VI—HELICOPTER FLIGHT CREW REQUIREMENTS

Composition of the flight crew.

55. (1) The number and composition of the flight crew shall not be less than that specified in the operations manual and the flight crews shall include flight crew members in addition to the minimum numbers specified in the flight manual or other documents associated with the certificate of airworthiness, when necessitated by considerations related to the type of helicopter used, the type of operation involved and the duration of flight between points where flight crews are changed.

(2) The flight crew shall include at least one member authorized by the Authority to operate the type of radio transmitting equipment to be used.

Flight Crew Member Emergency Duties.

56. The operator shall, for each type of helicopter, assign to all flight crew members the necessary functions they are to perform in an emergency or in a situation requiring emergency evacuation and annual training in accomplishing these functions shall be contained in the operator's training programme and shall include instruction in the use of all emergency and life-saving equipment required to be carried, and drills in the emergency evacuation of the helicopter.

Flight Crew member Training Programmes.

57. (1) The operator shall establish and maintain a ground and flight training programme, approved by the Authority, which ensures that all flight crew members are adequately trained to perform their assigned duties and the training programme shall—

(a) include ground and flight training facilities and properly qualified instructors as determined by the Authority;

(b) consist of ground and flight training for the type(s) of helicopter on which the flight crew member serves;

(c) include proper flight crew coordination and training for all types of emergency and abnormal situations or procedures caused by engine, transmission, rotor, airframe or systems malfunctions, fire or other abnormalities;

(d) include training in knowledge and skills related to the visual and instrument flight procedures for the intended area of operation, human performance and threat error and management, the transport of dangerous goods and, where applicable, procedures specific to the environment in which the helicopter is to be operated;

(e) ensure that all flight crew members know the functions for which they are responsible and the relation of these functions to the functions of other crew members, particularly in regard to abnormal or emergency procedures;

(f) include training in knowledge and skills related to the operational use of head-up display or enhanced vision systems for those helicopters so equipped;

(g) include company indoctrination training, crew resource management, and security training; and

(h) be given on a recurrent basis, as determined by the Authority and shall include an assessment of competence.

(2)The requirement for recurrent flight training in a particular type of helicopter shall be considered fulfilled by—

(a) the use, to the extent deemed feasible by the Authority, of flight simulation training devices approved by the Authority for that purpose; or

(b) the completion within the appropriate period of the proficiency check required by regulation 60 in that type of helicopter.

Qualifications

Recent experience pilot-in-command and co-pilot.

58. (1) The operator shall not assign a pilot-in-command or a co-pilot to operate at the flight controls of a type or variant of a type of a helicopter during take-off and landing unless that pilot has operated the flight controls during at least three take-offs and landings within the preceding 90 days on the same type of helicopter or in a flight simulator approved for the purpose.

(2) When a pilot-in-command or a co-pilot is flying several variants of the same type of helicopter or different types of helicopter with similar characteristics in terms of operating procedures, systems and handling, the Authority shall decide under which conditions the requirements of subregulation (1) for each variant or each type of helicopter can be combined.

Pilot in Command operational qualification.

59. (1) The operator shall not utilize a pilot as pilot-in-command of a helicopter on an operation for which that pilot is not currently qualified until such pilot has complied with subregulations (2) and (3).

(2) Each such pilot shall demonstrate to the operator an adequate knowledge of—

(a) the operation to be flown and this shall include knowledge of—

(i) the terrain and minimum safe altitudes;

(ii) the seasonal meteorological conditions;

(iii) the meteorological, communication and air traffic facilities, services and procedures;

(iv) the search and rescue procedures; and

(v) the navigation facilities and procedures associated with the route or area in which the flight is to take place; and

(b) procedures applicable to flight paths over heavily populated areas and areas of high air traffic density, obstructions, physical layout, lighting, approach aids and arrival, departure, holding and instrument approach procedures, and applicable operating minima.

(3) A pilot-in-command shall have made a flight, representative of the operation with which the pilot is to be engaged which must include a landing at a representative heliport, as a member of the flight crew and accompanied by a pilot who is qualified for the operation.

(4) The operator shall maintain a record, sufficient to satisfy the Authority of the qualification of the pilot and of the manner in which such qualification has been achieved.

(5) The operator shall not continue to utilize a pilot as a pilot-in-command on an operation in an area specified by the operator and approved by the Authority unless, within the preceding 12 months, the pilot has made at least one representative flight as a pilot member of the flight crew, or as a check pilot, or as an observer on the flight deck. In the event that more than 12 months elapse in which a pilot has not made such a representative flight, prior to again serving as a pilot-in-command on that operation, that pilot must re-qualify in accordance with subregulation (2) and subregulation (3).

Pilot Proficiency Checks.

60. (1) An operator shall ensure that piloting technique and the ability to execute emergency procedures is checked in such a way as to demonstrate the pilot's competence on each type or variant of a type of helicopter and where the operation may be conducted under IFR, the

operator shall ensure that the pilot's competence to comply with such rules is demonstrated to either a check pilot of the operator or to a representative of the Authority.

(2) For helicopter with a maximum take-off weight above 3, 175 kgs, the checks referred to in subregulation (1) shall be performed twice within any period of one year. Any two such checks which are similar, and which occur within a period of four consecutive months shall not alone satisfy this requirement.

(3) Notwithstanding subregulation (2), the period of validity for pilot proficiency checks for helicopter with a maximum take-off weight of 3,175 kgs and below shall be—

(a) twelve months for multi-engine helicopter with a maximum take-off weight of 3, 175 kgs and below;

(b) twelve months for single-engine helicopter with maximum take-off weight between 3, 175 kgs and 1,590kgs; and

(c) twenty-four months for single-engine helicopter with maximum take-off weight of below 1,590 kgs.

(4) Notwithstanding subregulation (3), a person shall not serve nor shall any Operator use a person as a flight crew member in instrument flight rules operations unless, since the beginning of the sixth calendar month before that service, that pilot has passed the instrument competency check prescribed by the Authority.

(5) When the operator schedules flight crew on several variants of the same type of helicopter or different types of helicopters with similar characteristics in terms of operating procedures, systems and handling, the operator shall ensure under which conditions the requirements of subregulation (1) for each variant or each type of helicopter can be combined as prescribed by the Authority.

(6) A person shall not serve nor shall any Operator use a person as a pilot flight crew member, unless—

(a) that person has passed the proficiency check prescribed by the Authority in the make and model of helicopter on which their services are required; and

(b) that the proficiency check was passed

(i) at the beginning of the sixth calendar month before that service for operations of helicopter with a maximum take-off weight of above 3 175 kgs;

(ii) at the beginning of the twelfth calendar month before that service for operations of multi-engine helicopter with a maximum take-off weight of 3 175 kgs and below;

(iii) at the beginning of the twelfth calendar month before that service for operations of single-engine helicopter with a maximum take-off weight of between 1,590kgs and 3 175 kgs; and

(iv) at the beginning of the twenty fourth calendar month before that service for operations of single-engine helicopter with maximum take-off weight of below 1 590 kgs.

Flight crew equipment.

61. A flight crew member assessed as fit to exercise the privileges of a license, subject to the use of suitable correcting lenses, shall have a spare set of the correcting lenses readily available when exercising those privileges.

Flight time, flight duty periods and rest periods.

62. (1) The operator shall establish policies and procedures specifying the limitations applicable to the flight time and flight duty periods for flight crew members and these policies and procedures shall also make provision for adequate rest periods and shall be such as to ensure that fatigue occurring either in a flight or successive flights or accumulated over a period of time due to these and other tasks does not endanger the safety of a flight and shall be in accordance with the First Schedule.

(2) The operator shall formulate rules to limit flight time and flight duty periods and for the provision of adequate rest periods for all its crew members. These rules shall be in accordance with the regulations established by the Authority, and included in the operations manual.

(3) The operator shall maintain current records of the flight time, flight duty periods and rest periods of all its crew members.

PART VII—CREW MEMBER AND FLIGHT OPERATIONS OFFICER QUALIFICATIONS

Age restriction.

63. A person shall not serve, nor shall any air operator certificate holder use a person as a required pilot on a helicopter engaged in international commercial air transport operations if that person has attained the age of sixty-five years.

PIC and Co-pilot licence requirements.

64. A pilot shall not act as pilot-in-command or a Co-pilot of a helicopter in commercial air transport operations during—

(a) instrument flight rules operations unless that pilot holds a Commercial Pilot Licence (CPL) or ATPL with appropriate category class ratings for the aircraft operated, and an instrument rating and meets the experience requirements for operation; or

(b) day visual flight rules operations unless that pilot holds a CPL or ATPL with appropriate category and class ratings for the aircraft operated.

PIC aeronautical experience.

65. An operator shall ensure that—

(a) Commercial Pilot Licence holder or ATPL does not operate as a pilot in- command (PIC) certificated in the Aircraft Flight Manual for single pilot operations unless—

(i) when conducting passenger carrying operations under visual flight rules outside a radius of 50 nm from an

aerodrome of departure, the pilot has a minimum of 300 hours total flight time on helicopter or holds a valid instrument rating;

(ii) when operating on a multi-engine type under instrument flight rules (IFR), the pilot has a minimum of 500 hours total flight time on helicopter which includes 250 hours as PIC of which 50 hours have been under IFR including 30 hours multi-engine operation; and

(iii) the 250 hours referred to sub-paragraph (ii) are substituted by hours operating as co-pilot on the basis that two hours co-pilot is equivalent to one hour as PIC provided that those hours were gained within a multi-pilot crew system prescribed in the Operations Manual specified in the Civil Aviation (Air Operator Certification and Administration) Regulations.

(b) in multi-pilot crew operations, in addition to sub-paragraph (a), and prior to the pilot operating as PIC, has completed the command course prescribed in the Operations Manual specified in the Civil Aviation (Air Operator Certification and Administration) Regulations.

Flight Operations Officer/Flight Dispatcher.

66. (1) When the Authority requires that a flight operations officer/flight dispatcher, employed in conjunction with an approved method of control and supervision of flight operations be licensed, that flight operations officer/flight dispatcher shall be licensed in accordance with the provisions of the Civil Aviation (Personnel Licensing) Regulations.

(2) In accepting proof of qualifications other than the option of holding of a flight operations officer/flight dispatcher license, the Authority, in accordance with the approved method of control and supervision of flight operations, shall require that, as a minimum, such persons meet the requirements specified in the Civil Aviation (Personnel Licensing) Regulations for the flight operations officer/ flight dispatcher license.

(3) A flight operations officer/flight dispatcher shall not be assigned to duty unless that person has—

(a) satisfactorily completed the operator-specific training course that addresses all the specific components of its approved method of control and supervision of flight operations specified Regulation 10(3);

(b) made, within the preceding 12 months, at least a one-way qualification flight in a helicopter over any area for which that person is authorized to exercise flight supervision and the flight shall include landings at as many heliports as practicable. For the purpose of the qualification flight, the flight operations officer/flight dispatcher shall be able to monitor the flight crew intercommunication system and radio communications, and be able to observe the actions of the flight crew;

(c) demonstrated to the operator a knowledge of—

(i) the contents of the operations manual described in the Third Schedule of the Civil Aviation (Air Operator Certification and Administration) Regulations;

(ii) the radio equipment in the helicopters used; and

(iii) the navigation equipment in the helicopters used;

(d) demonstrated to the operator a knowledge of the following details concerning operations for which the officer is responsible and areas in which that individual is authorized to exercise flight supervision—

(i) the seasonal meteorological conditions and the sources of meteorological information;

(ii) the effects of meteorological conditions on radio reception in the helicopters used;

(iii) the peculiarities and limitations of each navigation system which is used by the operation; and

(iv) the helicopter loading instructions;

(e) satisfied the operator as to knowledge and skills related to human performance as they apply to dispatch duties; and

(f) demonstrated to the operator the ability to perform the duties specified in regulation 39.

(4) A flight operations officer/flight dispatcher assigned to duty shall maintain complete familiarization with all features of the operation which are pertinent to such duties, including knowledge and skills related to human performance.

(5) A flight operations officer/flight dispatcher shall not be assigned to duty after 12 consecutive months of absence from such duty, unless the provisions of subregulation (3) are met.

Company procedures indoctrination.

67. (1) A person shall not serve nor shall an air operator certificate (AOC) holder use a person as a crew member or flight operations officer unless that person has completed the company procedures indoctrination curriculum approved by the Authority, which shall include a complete review of operations manual procedures pertinent to the crew member or flight operation officer's duties.

(2) An Operator shall ensure that all operations personnel are provided with company indoctrination training that covers the following areas—

(a) operator's organisation, scope of operation, and administrative practices as applicable to crew member assignments and duties;

(b) appropriate provisions of civil aviation regulations and other applicable regulations and guidance materials;

(c) AOC holder policies and procedures;

(d) applicable crew member manuals; and

(e) appropriate portions of the AOC holder's operations manual.

(3) An Operator shall provide a minimum of forty programmed hours of instruction for basic indoctrination training unless a reduction of the hours of instruction is approved by the Authority.

Dangerous goods training.

68. (1) An operator of an aircraft shall establish and maintain approved staff training programmes as required by the Technical Instructions.

(2) An operator not holding an approval to carry dangerous goods shall ensure that all staff who are engaged in operations have received training to carry out their duties in respect of dangerous goods which covers as a minimum, the areas required by the Technical Instructions.

(3) An operator holding an approval to carry dangerous goods shall ensure that all staff who are engaged in operations have received training to carry out their duties in respect of dangerous goods which covers as a minimum, the areas required by the Technical Instructions.

(4) An operator shall ensure that—

(a) all staff who require dangerous goods training receive recurrent training at intervals of no longer than two years;

(b) the records of dangerous goods training are maintained for all staff trained in accordance with the provisions of this regulation; and

(c) the handling agent's staff are trained in accordance with the Technical Instructions.

Security Training Programmes.

69. (1) An operator shall establish and maintain an approved security training programme which ensures crew members act in the most appropriate manner to minimize the consequences of acts of unlawful interference and the programme shall, as a minimum, include the following elements—

(a) determination of the seriousness of any occurrence;

(b) crew communication and coordination;

(c) appropriate self-defense responses;

(d) use of non-lethal protective devices assigned to crew members whose use is authorized by the Authority;

(e) understanding of behaviour of terrorists so as to facilitate the ability of crew members to cope with hijacker behaviour and passenger responses;

(f) live situational training exercises regarding various threat conditions;

(g) flight crew compartment procedures to protect the aircraft; and

(h) aircraft search procedures and guidance on least-risk bomb locations where practicable.

(2) Recurrent training shall be conducted at least once in every 24 months.

(3) Records of training and test results shall be maintained in each employee's records and shall be made available upon request by the Authority.

(4) An operator shall also establish and maintain a training programme to acquaint appropriate employees with preventive measures and techniques in relation to passengers, baggage, cargo, mail, equipment, stores and supplies intended for carriage on an aircraft so that they contribute to the prevention of acts of sabotage or other forms of unlawful interference.

Crew resource management training.

70. (1) A person shall not serve nor shall any Operator use a person as a crew member or flight operations officer unless that person has completed the initial crew resource management (CRM) curriculum approved by the Authority.

(2) An AOC holder shall ensure that all crew members have crew resource management training as part of their initial and recurrent training requirements.

(3) A crew resource management training program shall include—

(a) an initial indoctrination or awareness segment;

(b) a method to provide recurrent practice and feedback; and

(c) a method of providing continuing reinforcement.

(4) Curriculum topics to be contained in an initial crew resource management training course include—

(a) communications processes and decision behaviour;

(b) internal and external influences on interpersonal communications;

(c) barriers to communication;

(d) listening skills;

(e) decision making skills;

(f) effective briefings;

(g) developing open communications;

(h) inquiry, advocacy, and assertion training;

(i) crew self—critique;

(j) conflict resolution;

(k) team building and maintenance;

(l) leadership and fellowship training;

(m) individual factors;

(n) stress reduction;

(o) threat and error management overview;

(p) fitness and health including use of psychoactive substances;

(q) interpersonal relationships;

(r) workload management;

(s) situational awareness;

(t) how to prepare, plan and monitor task completions;

(u) workload distribution;

(v) distraction avoidance; and

(w) aircraft automation.

(5) Crew members and FOOs shall undergo specific modular CRM training. All major topics of CRM training shall be covered by distributing modular training sessions as evenly as possible over a period of three years.

Initial emergency equipment drills.

71. (1) A person shall not serve nor shall any air operator certificate (AOC) holder use a person as a crew member unless that person has completed the appropriate initial emergency equipment curriculum and drills for the crew member position approved by the Authority for the emergency equipment available on the aircraft to be operated.

(2) A crew member shall complete emergency training during the specified training periods, using the items of installed emergency equipment for each type of aircraft in which that crew member is to serve.

(3) During initial training, a crew member shall perform the following emergency drills—

(a) protective breathing equipment or fire-fighting drill—

(i) locate the source of fire or smoke for an actual or simulated fire;

(ii) implement procedures for effective crew co-ordination and communication, including notification of flight crew members about the fire situation;

(iii) don and activate installed protective breathing equipment or approved protective breathing equipment simulation device;

(iv) manoeuvre in limited space with reduced visibility;

(v) effectively use the helicopter's communication system;

(vi) identify the class of fire;

(vii) select the appropriate extinguisher;

(viii) properly remove the extinguisher from the securing device;

(ix) prepare, operate and discharge the extinguisher properly; and

(x) utilise the correct fire-fighting techniques for type of fire;

(b) emergency evacuation drill—

(i) recognise and evaluate an emergency;

(ii) assume the appropriate protective position;

(iii) command passengers to assume protective position;

(iv) implement crew co-ordination procedures;

(v) ensure activation of emergency lights;

(vi) assess helicopter condition;

(vii) initiate evacuation, dependent on signal or decision;

(viii) command passengers to release their seatbelts and evacuate;

(ix) assess exit and redirect passengers, if necessary, to open exits and commanding helpers to assist;

(x) command the passengers to evacuate at exit and run away from the aircraft;

(xi) assist special need passengers, such as handicapped, elderly, and persons in a state of panic; and

(xii) actually exit the helicopter or training device using at least one of the installed emergency evacuation exit.

(4) In the case of an emergency evacuation drill, the crew member may either observe the helicopter exits being opened in the emergency mode and the associated exit or perform the tasks resulting in the accomplishment of these actions.

(5) A helicopter crew member shall accomplish additional emergency drills during initial and recurrent training, including performing the following emergency drills—

(a) emergency exit drill—

(i) correctly pre-flight each type of emergency exit or life raft, if part of cabin crew member's assigned duties;

(ii) open and close each type of door exit in normal mode;

(iii) open each type of door exit in emergency mode;

(iv) use the manual inflation system to accomplish raft inflation;

(v) open each type of window exit;

(b) hand fire extinguisher drill fighting an actual or a simulated fire is not necessary during this drill—

(i) pre-flight each type of hand fire extinguisher;

(ii) locate the source of fire or smoke and identify class of fire;

(iii) select the appropriate extinguisher and remove from securing device;

(iv) prepare the extinguisher for use;

(v) actually operate and discharge each type of installed hand fire extinguisher;

(vi) utilise correct fire-fighting techniques for the type of fire; and

(vii) implement procedures for effective crew coordination and communication, including notification of crew members about the type of fire situation;

(c) emergency oxygen system drill;

(i) operate portable oxygen bottles, including masks and tubing;

(ii) verbally demonstrate operation of chemical oxygen generators;

(iii) prepare for use and properly operate an oxygen device, including donning and activation;

(iv) administer oxygen to self, passengers, and to those persons with special oxygen needs;

(v) utilise proper procedures for effective crew coordination and communication;

(vi) activate protective breathing equipment;

(vii) manually open each type of oxygen mask compartment and deploy oxygen masks;

(viii) identify compartments with extra oxygen masks; and

(ix) reset the oxygen system, if applicable.

(d) flotation device drill—

(i) don and inflate life vests;

(ii) remove and use flotation seat cushions; and

(iii) demonstrate swimming techniques using a life vest or seat cushions.

(e) ditching drill, if applicable, during which ditching drill trainees shall perform the "prior to impact" and "after

impact" procedures for a ditching, as appropriate to the specific operator's type of operation—

(i) implement crew coordination procedures, including a briefing with the captain to obtain pertinent ditching information and briefing cabin crew members;

(ii) coordinate time-frame for cabin and passenger preparation;

(iii) adequately brief passengers on ditching procedures;

(iv) ensure the cabin is prepared, including the securing of carry-on baggage, lavatories, and galleys;

(v) demonstrate how to properly deploy and inflate life rafts;

(vi) remove, position and attach life rafts to aircraft;

(vii) inflate the rafts;

(viii) command any helpers to assist;

(ix) remove appropriate emergency equipment from the aircraft;

(x) board rafts properly;

(xi) initiate raft management procedures, such as disconnecting rafts from aircraft, applying immediate first aid, rescuing persons in water, salvaging floating rations and equipment, deploying sea anchor, tying rafts together, and activating or ensuring operation of emergency locator transmitter;

(xii) initiate basic survival procedures, such as removing and utilising survival kit items, repairing and maintaining raft, ensuring protection from exposure, erecting canopy, communicating location, providing continued first aid, and providing sustenance;

(xiii) use heaving line to rescue persons in the water;

(xiv) tie life rafts together;

(xv) use life line on edge of raft as a handhold; and

(xvi) secure survival kit items.

(6) A helicopter crew member shall accomplish additional emergency drill requirements during initial and recurrent training including observing the following emergency drills—

(a) life raft removal and inflation drill, if applicable—

(i) removal of a life raft from the aircraft or training device; and

(ii) inflation of a life raft;

(b) raft transfer drill—

(i) transfer each type of raft pack from an unusable door to a usable door;

(ii) redirect passengers to the usable raft; and

(iii) install and deploy the raft at a usable door.

Initial, transition, and upgrade helicopter ground training: flight crew.

72. (1) A person shall not serve nor shall an Operator use a person as a flight crew member unless that person has completed the initial, transition and/or upgrade ground training approved by the Authority applicable for the helicopter type.

(2) Initial, transition and upgrade helicopter ground training for flight crew members shall include the pertinent portions of the operations manuals relating to helicopter-specific performance, mass and balance, operational policies, systems, limitations, normal, abnormal and emergency procedures on the helicopter type to be used.

(3) An Operator shall have an initial, transition and upgrade helicopter ground training curriculum for the flight crew applicable to the type of operations conducted and helicopter flown.

(4)Instructions shall include at least the following general subjects—

(a) operator's dispatch, flight release, or operational control or flight following procedures;

(b) principles and methods for determining mass and balance, and limitations for take-off;

(c) adverse weather recognition and avoidance, and flight procedures which shall be followed when operating in the following conditions—

(i) icing;

(ii) fog;

(iii) turbulence;

(iv) heavy precipitation;

(v) thunderstorms;

(vi) low—level wind shear and microburst; and

(vii)low visibility.

(d) normal and emergency communications procedures and navigation equipment including the Operator's communications procedures and air traffic control clearance requirements;

(e) navigation procedures used in area departure, en route, area arrival, approach and landing phases;

(f) approved crew resource management (CRM) training;

(g) air traffic control systems, procedures, and phraseology;

(h) helicopter performance characteristics during all flight regimes, including—

(i) the use of charts, tables, tabulated data and other related manual information;

(ii) normal, abnormal, and emergency performance problems;

(iii) meteorological and weight limiting performance factors, such as temperature, pressure, contaminated runways, precipitation, climb and in/out of ground effect limits;

(iv) inoperative equipment performance limiting factors, such as minimum equipment list or configuration deviation list; and

(v) special operational conditions, such as unpaved runways, confined areas, dusty environments, high altitude landing zones.

(5) An AOC holder shall have an initial, transition and upgrade helicopter ground training curriculum for the flight crew applicable to the type of operations conducted and helicopter flown, including at least the following helicopter systems—

(a) helicopter—

(i) helicopter dimensions, hover radius, panel layouts, cockpit and cabin configurations; and

(ii) other major systems and components or appliances of the helicopter.

(b) power plants—

(i) basic engine description;

(ii) engine take off power rating;

(iii) engine components such as accessory drives, ignition, oil, fuel control, hydraulic, and bleed air features;

(c) electrical—

(i) sources of helicopter electrical power, such as engine driven generators, auxiliary power unit (APU) generator, and external power;

(ii) electrical buses;

(iii) circuit breakers;

(iv) helicopter battery;

(v) standby power systems;

(d) hydraulic—

(i) hydraulic reservoirs, pumps, accumulators, filters, check valves, interconnects and actuators;

(ii) other hydraulically operated components.

(e) fuel—

(i) fuel tanks, including location and quantities;

(ii) engine driven pumps;

(iii) boost pumps;

(iv) system valves and crossfeeds;

(v) quantity indicators;

(vi) quality indicators;

(vii) provisions for fuel jettisoning;

(f) pneumatic—

(i) bleed air sources, auxiliary power unit or external ground air;

(ii) means of routing, venting and controlling bleed air via valves, ducts, chambers, and temperature and pressure limiting devices;

(iii) air conditioning and heating;

(iv) heaters, air conditioners, fans, and other environmental control devices;

(v) pressurisation system components such as outflow and negative pressure relief valves;

(vi) automatic, standby, and manual pressurization controls and annunciations;

(vii) sand and barrier filters, and particle separators;

(viii) external load accessories;

(g) flight controls—

(i) primary controls, including yaw, pitch, and roll devices;

(ii) means of actuation, whether direct or indirect or fly by wire;

(iii) redundancy devices;

(h) landing gear—

(i) landing gear extension and retraction mechanism including the operating sequence of struts, doors, and locking devices, and brake and antiskid systems, if applicable;

(ii) steering, including nose or body steering gear;

(iii) air or ground sensor relays;

(iv) visual downlock indicators;

(i) ice and rain protection—

(i) rain removal systems;

(ii) anti-icing or de-icing systems affecting flight controls, engines;

(iii) pitot static probes, fluid outlets, cockpit windows, and helicopter structures;

(j) equipment and furnishings—

(i) exits;

(ii) galleys;

(iii) water and waste systems;

(iv) lavatories;

(v) cargo areas;

(vi) crew member and passenger seats;

(vii) bulkheads;

(viii) seating and cargo configurations;

(ix) non-emergency equipment and furnishings;

(k) navigation equipment;

(l) flight directors;

(m) horizontal situation indicator;

(n) radio magnetic indicator—

(i) navigation receivers such as global positioning system, automatic direction finder (ADF), very high frequency omni-directional radio range (VOR), OMEGA, long range navigation (LORAN-C), area navigation (RNAV), marker beacon, distance measuring equipment (DME);

(ii) inertial systems such as inertia navigation system (INS) and inertia reference (IRS);

(o) functional displays;

(p) fault indications and comparator systems;

(q) helicopter transponders;

(r) radio altimeters;

(s) weather radar;

(t) cathode ray tube or computer-generated displays of helicopter position and navigation information;

(u) auto flight system—

(i) autopilot;

(ii) auto throttles;

(iii) flight director and navigation systems;

(iv) automatic approach tracking;

(v) auto land;

(vi) automatic fuel and performance management systems;

(v) flight instruments—

(i) panel arrangement;

(ii) flight instruments, including attitude indicator, directional gyro, magnetic compass, airspeed indicator, vertical speed indicator, altimeters, standby instruments;

(iii) instrument power sources, and instrument sensory sources, such as pitot static pressure;

(w) display systems—

(i) weather radar;

(ii) other Cathode ray tube (CRT) displays, such as checklist, vertical navigation or longitudinal navigation displays;

(x) communication equipment—

(i) very high frequency (VHF) or high frequency (HF);

(ii) audio panels;

(iii) in flight interphone and passenger address systems;

(iv) voice recorder;

(v) aircraft communication addressing and reporting system (ACARS);

(y) warning systems—

(i) aural, visual, and tactile warning systems, including the character and degree of urgency related to each signal;

(ii) warning and caution annunciator systems, including ground proximity and take-off warning systems;

(z) fire protection—

(i) fire and overheat sensors, loops, modules, or other means of providing visual or aural indications of fire or overheat detection;

(ii) procedures for the use of fire handles, automatic extinguishing systems and extinguishing agents;

(iii) power sources necessary to provide protection for fire and overheat conditions in engines, auxiliary power unit, cargo bay or wheel well, cockpit, cabin and lavatories;

(aa) oxygen—

(i) passenger, crew, and portable oxygen supply systems;

(ii) sources of oxygen such as gaseous or solid;

(iii) flow and distribution networks;

(iv) automatic deployment systems;

(v) regulators, pressure levels and gauges;

(vi) servicing requirements;

(bb) lighting—

(i) cockpit, cabin, and external lighting systems;

(ii) power sources;

(iii) switch positions;

(iv) spare light bulb locations.

(cc) emergency equipment—

(i) fire and oxygen bottles;

(ii) first aid kits;

(iii) life rafts and life preservers;

(iv) crash axes;

(v) emergency exits and lights;

(vi) escape straps or handles;

(vii) hatches, ladders and movable stairs;

(dd) auxiliary power unit—

(i) electric and bleed air capabilities;

(ii) interfaces with electrical and pneumatic systems;

(iii) inlet doors and exhaust ducts;

(iv) fuel supply;

(6) An AOC holder shall have an initial, transition and upgrade helicopter ground training curriculum for the flight crew applicable to the type of operations conducted and helicopter flown, including at least the following helicopter systems integration items—

(a) use of checklist—

(i) cockpit preparation (switch position and checklist flows);

(ii) checklist callouts and responses;

(iii) checklist sequence;

(b) flight planning—

(i) performance limitations, including meteorological, weight, minimum equipment list, configuration deviation list items;

(ii) required fuel loads;

(iii) weather planning, lower than standard take-off minimums or alternate requirements;

(c) navigation systems—

(i) pre-flight and operation of applicable receivers;

(ii) on-board navigation systems;

(iii) flight plan information input and retrieval;

(d) auto flight: autopilot, and flight director systems, including the appropriate procedures, normal and abnormal indications, and enunciators;

(e) cockpit familiarization—

(i) activation of helicopter system controls and switches to include normal, abnormal and emergency switches; and

(ii) control positions and relevant enunciators, lights, or other caution and warning systems.

(7) An AOC holder may have separate initial, transition and/or upgrade helicopter ground training curricula of varying lengths and subject emphasis which recognise the experience levels of flight crew members previous duty position, and currency status in the helicopter for which training is being conducted approved by the Authority.

(8) An AOC holder must ensure that a pilot who is qualified and currently acting as a flight crew member in an AOC completes the transition ground segment of the training programme required if—

(a) the crew member is changing from one helicopter type or variant to another type or variant;

(b) there is a change to the nature of the operation, or new equipment is introduced, which affects the operation of the helicopter type or variant; or

(c) The transition ground segment of the training programme referred to 8(a) must address at least the following—

(i) the use of all safety and emergency equipment and procedures applicable to the helicopter type or variant;

(ii) new procedures or equipment introduced on the existing helicopter type or variant; and

(iii) any required human factors and crew resource management training brought about by the different helicopter, equipment, or procedures.

(9) An AOC holder must ensure that a pilot who is qualified and currently acting as a flight crew member in an AOC completes the

upgrade ground segment of the training programme on the same helicopter type if the pilot is changing from one flight crew position to a more responsible flight crew position.

(10) The upgrade ground training must address the use of all safety and emergency equipment and procedures applicable to the new flight crew position for the helicopter which the upgrade is sought and must—

(a) include training on human factors, and crew resource management, with particular emphasis on the changes brought about by the different flight crew position and new responsibilities; and

(b) include training in supervisory skills.

Initial helicopter ground training: cabin crew.

73. (1) A person shall not serve nor shall an Operator use a person as a cabin crew member unless that person has completed the initial ground training approved by the Authority for helicopter type.

(2)Initial helicopter ground training for cabin crew members shall include the pertinent portions of the operations manuals relating to helicopter specific configuration, equipment, normal and emergency procedures for the helicopter types within the fleet.

(3) An Operator shall have an initial ground training curriculum for cabin crew members applicable to the type of operations conducted and helicopter flown, including at least the following general subjects—

(a) helicopter familiarization—

(i) helicopter characteristics and description;

(ii) cockpit configuration;

(iii) cabin configuration;

(iv) galleys;

(v) lavatories;

(vi) stowage areas;

(b) helicopter equipment and furnishings—

(i) cabin crew member stations;

(ii) cabin crew member panels;

(iii) passenger seats;

(iv) passenger service units and convenience panels;

(v) passenger information signs;

(vi) helicopter markings;

(vii)helicopter placards;

(c) helicopter systems—

(i) air conditioning and pressurisation system;

(ii) helicopter communication systems such as call, interphone and passenger address;

(iii) lighting and electrical systems;

(iv) oxygen systems (flight crew, observer and passenger);

(v) water system;

(d) helicopter exits—

(i) general information;

(ii) exits for pre-flight and normal operation;

(iii) window exits;

(e) crew member communication and coordination—

(i) authority of pilot-in-command;

(ii) routine communication signals and procedures;

(iii) crew member briefing;

(f) routine crew member duties and procedures—

(i) crew member general responsibilities;

(ii) reporting duties and procedures for specific helicopter;

(iii) pre-departure duties and procedures prior to passenger boarding;

(iv) passenger boarding duties and procedures;

(v) prior-to-movement-on-the-surface duties and procedures;

(vi) prior-to-take-off duties and procedures applicable to specific helicopter;

(vii) in-flight duties and procedures;

(viii) prior-to-landing duties and procedures;

(ix) movement on the surface and arrival duties and procedures;

(x) after-arrival duties and procedures; and

(xi) intermediate stops;

(g) passenger handling responsibilities—

(i) crew member general responsibilities;

(ii) infants, children, and unaccompanied minors;

(iii) passengers needing special assistance;

(iv) passengers needing special accommodation;

(v) carry-on stowage requirements;

(vi) passenger seating requirements;

(vii) smoking and no-smoking requirements; and

(viii) approved Crew Resource Management (CRM) training.

(4) An Operator shall have an initial ground training curriculum for cabin crew members applicable to the type of operations conducted and helicopter flown, including at least the following helicopter specific emergency subjects—

(a) emergency equipment—

(i) emergency communication and notification systems;

(ii) helicopter exits operations;

(iii) operation of rafts in ditching;

(iv) window exits emergency operation;

(v) cockpit exits emergency operation;

(vi) ground evacuation and ditching equipment;

(vii) first-aid equipment;

(viii) portable oxygen systems, oxygen bottles, chemical oxygen generators, protective breathing equipment;

(ix) fire-fighting equipment;

(x) emergency lighting systems; and

(xi) additional emergency equipment.

(b) emergency assignments and procedures—

(i) general types of emergencies specific to helicopter;

(ii) emergency communication signals and procedures;

(iii) rapid decompression;

(iv) insidious decompression and cracked window and pressure seal leaks;

(v) fires;

(vi) ditching;

(vii) ground evacuation;

(viii) unwarranted evacuation for example, passenger initiated;

(ix) illness or injury;

(x) abnormal situations involving passengers or crew members;

(xi) unlawful interference;

(xii) bomb threat;

(xiii) turbulence;

(xiv) other unusual situations; and

(xv) previous helicopter accidents and incidents;

(c) helicopter specific emergency drills—

(i) emergency exit drill;

(ii) hand fire extinguisher drill;

(iii) emergency oxygen system drill;

(iv) flotation device drill;

(v) ditching drill, if applicable;

(vi) life raft removal and inflation drill, if applicable;

(vii) raft pack transfer drill, if applicable; and

(viii) raft deployment, inflation, and detachment; drill, if applicable

(5) An Operator shall ensure that initial ground training for cabin crew members includes a competence check to determine that person's ability to perform assigned duties and responsibilities.

(6) An Operator shall ensure that initial ground training for cabin crew members consists of at least the following programmed hours of instruction—

(a) multi-engine turbine: thirty-two hours; and

(b) multi-engine reciprocating: sixteen hours.

(7) An operator shall ensure that a training programme is completed by all persons before being assigned as a cabin crew member.

Competence checks: cabin crew members.

74. (1) A person shall not serve nor shall any Operator use a person as a cabin crew member unless, within the preceding twelve months before that service, that person has passed the competency check approved by the Authority performing the emergency duties appropriate to that person's assignment.

(2) Evaluators shall conduct competency checks for cabin crew members to demonstrate that the candidate's proficiency level is sufficient to successfully perform assigned duties and responsibilities.

(3)A qualified supervisor or inspector approved by the Authority shall observe and evaluate competency checks for cabin crew members.

(4) Each cabin crew member competency check shall include a demonstrated knowledge of—

(a) emergency equipment: emergency communication and notification systems—

(i) helicopter emergency exits;

(ii) rafts emergency operation in ditching;

(iii) window exits (emergency operation);

(iv) cockpit exits (emergency operation);

(v) ground evacuation and ditching equipment;

(vi) first-aid equipment;

(vii) portable oxygen systems such as oxygen bottles, chemical oxygen generators, protective breathing equipment (PBE);

(viii) fire-fighting equipment;

(ix) emergency lighting systems;

(x) additional emergency equipment.

(b) emergency procedures—

(i) general types of emergencies specific to helicopter;

(ii) emergency communication signals and procedures;

(iii) rapid decompression;

(iv) insidious decompression and cracked window and pressure seal leaks;

(v) fires;

(vi) ditching;

(vii) ground evacuation;

(viii) unwarranted evacuation, for example that is passenger initiated;

(ix) illness or injury;

(x) abnormal situations involving passengers or crew members;

(xi) turbulence;

(xii) other unusual situations;

(c) emergency drills—

(i) location and use of all emergency and safety equipment carried on the helicopter;

(ii) the location and use of all types of exits;

(iii) actual donning of a lifejacket where fitted;

(iv) actual donning of protective breathing equipment;

(v) actual handling of fire extinguishers.

(d) crew resource management—

(i) decision making skills;

(ii) briefings and developing open communication;

(iii) inquiry, advocacy, and assertion training;

(iv) workload management;

(e) dangerous goods—

(i) recognition of and transportation of dangerous goods;

(ii) proper packaging, marking, and documentation; and

(iii) instructions regarding compatibility, loading, storage and handling characteristics;

(f) security—

(i) unlawful interference; and

(ii) disruptive passengers.

(5) An operator should establish and maintain a cabin crew training programme that is designed to ensure that persons who receive training acquire the competency to perform their assigned duties and includes or makes reference to a syllabus for the training programme in the company operations manual and the training programme shall include Human Factors training.

Initial training: flight operations officer.

75. (1) A person shall not serve nor shall any Operator use a person as a flight operations officer unless that person has completed the initial training approved by the Authority.

(2) Helicopter initial flight operations officer training shall include the pertinent portions of the operations manual relating to helicopter specific flight preparation procedures, performance, mass and balance, systems, limitations for the helicopter types within the fleet.

(3) An Operator shall provide initial helicopter training for flight operations officers that include instruction in at least the following general dispatch subjects—

(a) normal and emergency communications procedures;

(b) available sources of weather information;

(c) actual and prognostic weather charts;

(d) interpretation of weather information;

(e) adverse weather phenomena, such as clear air turbulence, wind shear, and thunderstorms;

(f) Notice to Airmen (NOTAM) system;

(g) navigational charts and publications;

(h) air traffic control and instrument flight rules procedures;

(i) familiarisation with operational area;

(j) characteristics of special aerodromes and other operationally significant aerodromes which the operator uses, such as terrain, approach aids, or prevailing weather phenomena;

(k) joint flight operations officer and group responsibilities; and

(l) approved crew resource management (CRM) training for flight operations officers.

(4) An AOC holder shall provide initial helicopter training for flight operations officers that include instruction in at least the following helicopter characteristics—

(a) general operating characteristics of the Operator's helicopter;

(b) helicopter specific training with emphasis on the following topics—

(i) helicopter operating and performance characteristics;

(ii) navigation equipment;

(iii) instrument approach and communications equipment; and

(iv) emergency equipment;

(c) flight manual training; and

(d) equipment training.

(5) An Operator shall provide initial helicopter training for flight operations officers that include instruction in at least the following emergency procedures—

(a) assisting the flight crew in an emergency; and

(b) alerting of appropriate governmental, company and private agencies.

(6) An Operator shall ensure that initial ground training for flight operations officers includes a competence check given by an appropriate supervisor or ground instructor that demonstrates the required knowledge and abilities.

(7) A person shall not serve nor shall an air operator certificate(AOC) holder use a person as a flight operations officer unless that person has completed

(a) the company procedures indoctrination curriculum approved by the Authority, which shall include a complete review of operations manual procedures pertinent to flight operations officer/dispatcher duties.

(b) initial and recurrent dangerous goods training as prescribed in regulation 68;

(c) initial and recurrent aviation security training as prescribed in regulation 69;

(d) initial and recurrent crew resource management training as prescribed in regulation 70; and

(e) any other applicable training as prescribed by the Civil Aviation Regulations;

Initial ,transition and upgrade flight training: flight crew member.

76. (1) A person shall not serve nor shall an Operator use a person as a flight crew member unless that person has completed the initial transition and/or upgrade flight training approved by the Authority for the helicopter type.

(2) Initial, transition and upgrade flight training of a flight crew member shall focus on the manoeuvring and safe operation of the helicopter in accordance with AOC holder's normal, abnormal and emergency procedures.

(3) An Operator may have separate initial, transition and upgrade flight training curriculum which recognise the experience levels of flight crew members approved by the Authority.

(4) Flight training may be conducted in an appropriate helicopter or adequate synthetic flight trainer—

(a) having landing capability; and

(b) qualified for training or checking on circling manoeuvres.

(5) An Operator shall ensure that pilot initial, transition and upgrade flight training includes at least the following—

(a) preparation—

(i) performance limitations;

(ii) pre-taxi procedures;

(iii) visual inspection, and use authorised of pictorial display for helicopter with a flight engineer;

(b) surface operation—

(i) pushback;

(ii) power back taxi, if applicable to type of operation to be conducted;

(iii) starting;

(iv) taxi;

(v) pre-take-off checks;

(c) take-off—

(i) normal;

(ii) crosswind;

(iii) rejected;

(iv) power failure on take-off;

(v) lower than standard minimum, if applicable to type of operation to be conducted;

(d) climb—

(i) normal;

(ii) one-engine inoperative during climb to en route altitude;

(e) en-route—

(i) steep turns;

(ii) approaches to settling with power (take-off, en route, and landing configurations);

(iii) in-flight engine shutdown;

(iv) in-flight engine restart;

(v) high speed handling characteristics;

(f) descent—

(i) normal;

(ii) maximum rate;

(g) approaches—

(i) visual flight rules (VFR) procedures;

(ii) visual approach with 50% loss of power on one-engine (1 engine inoperative on 2-engine helicopter for pilot-in command only);

(iii) instrument flight rules (IFR) precision approaches such as instrument landing system normal and instrument landing system with one-engine inoperative;

(iv) IFR non-precision approaches non-directional radio beacon (NDB) normal and VHF omni-directional radio range beacon (VOR) normal;

(v) non-precision approach with one engine inoperative (Localizer back course procedures, SDF or localizer type directional aid, a global positioning system, TACAN and circling approach procedures);

(vi) missed approach from precision approach;

(vii) missed approach from non-precision approach; and

(viii) missed approach with engine failure;

(h) landings—

(i) normal with a pitch mis-trim (small aircraft only);

(ii) normal from precision instrument approach;

(iii) normal from precision instrument approach with most critical engine inoperative;

(iv) normal with 50% loss of power on one side (1 engine inoperative on 2-engine aircraft);

(v) rejected landings; and

(vi) crosswind;

(i) after landing—

(i) parking;

(ii) emergency evacuation;

(j) other flight procedures during any airborne phase—

(i) holding;

(ii) ice accumulation on airframe;

(iii) air hazard avoidance;

(iv) wind shear or microburst;

(k) normal, abnormal and alternate systems procedures during any phase—

(i) pneumatic or pressurisation;

(ii) air conditioning;

(iii) fuel and oil;

(iv) electrical;

(v) hydraulic;

(vi) flight controls;

(vii) anti-icing and de-icing systems;

(viii) autopilot;

(ix) flight management guidance systems and automatic or other approach and landing aids;

(x) stability augmentation systems;

(xi) airborne weather radar;

(xii) flight instrument system malfunction;

(xiii) communications equipment;

(xiv) navigation systems;

(l) emergency systems procedures during any phase—

(i) helicopter fires;

(ii) smoke control;

(iii) power plant malfunctions;

(iv) fuel jettison;

(v) electrical, hydraulic, pneumatic systems;

(vi) flight control system malfunction; and

(vii) landing gear malfunction.

(6) The requirement for recurrent flight training in a particular type of helicopter shall be considered fulfilled by—

(a) the use of flight simulation training devices approved by the Authority for that purpose; or

(b) the completion within the appropriate period of the proficiency check in that type of helicopter.

(7) (a)An AOC holder must ensure that a pilot who is qualified and currently acting as a flight crew member in an AOC completes the transition flight segment of the training programme required if—

(a) the crew member is changing from one helicopter type or variant to another type or variant;

(b) there is a change to the nature of the operation, or new equipment is introduced, which affects the operation of the helicopter type or variant.

(8) The transition flight segment of the training programme referred to 8(a) must address at least the following—

(a) the use of all safety and emergency equipment and procedures applicable to the helicopter type or variant;

(b) new procedures or equipment introduced on the existing helicopter type or variant; and

(c) any required human factors and crew resource management training brought about by the different helicopter, equipment, or procedures.

(9) An AOC holder must ensure that a pilot who is qualified and currently acting as a flight crew member in an AOC completes the upgrade flight segment of the training programme on the same helicopter type if the pilot is changing from one flight crew position to a more responsible flight crew position.

(10) The upgrade flight training must address the use of all safety and emergency equipment and procedures applicable to the new flight crew position for the helicopter which the upgrade is sought and must—

(a) include training on human factors, and crew resource management, with particular emphasis on the changes brought about by the different flight crew position and new responsibilities; and

(b) include training in supervisory skills.

Initial specialized operations training.

77. (1) A person shall not serve nor shall any Operator use a person as a flight crew member unless that person has completed the appropriate initial specialized operations training curriculum approved by the Authority.

(2) Specialized operations for which initial training curricula shall be developed include—

(a) low minima operations, including low visibility take-offs and Category II and III operations;

(b) specialized navigation; and

(c) pilot-in-command right seat qualification.

(3) An Operator shall provide initial specialized operations training to ensure that each pilot and flight operations officer is qualified in the type of operation in which that person serves and in any specialized or new equipment, procedures, and techniques, such as—

(a) Class II navigation—

(i) knowledge of specialized navigation procedures, such as Required Navigation Performance (RNP); and

(ii) knowledge of specialized equipment, such as Inertia Navigation System (INS), Long Range Navigation (LORAN), OMEGA;

(b) Category II and CAT III operations approaches—

(i) special equipment, procedures and practice;

(ii) a demonstration of competency

(c) lower than standard minimum take-offs—

(i) runway and lighting requirements;

(ii) rejected take-off;

(iii) taxi operations;

(iv) procedures to prevent runway incursions under low visibility conditions;

(d) airborne radar approaches; and

(e) autopilot instead of co-pilot.

Helicopter differences training.

78. (1) A person shall not serve nor shall an Operator use a person as a crew member on an helicopter of a type for which a differences curriculum is included in the Operator's approved training programme, unless that person has satisfactorily completed that curriculum, with respect to both the crew member position and the particular variant of that helicopter.

(2) An operator shall ensure that a crew member completes—

(a) differences training which requires additional knowledge and training on an appropriate training device or the helicopter —

(i) when operating another variant of a helicopter of the same type or another type of the same class currently operated; or

(ii) when changing equipment procedures on types or variants currently operated;

(b) familiarisation training which requires the acquisition of additional knowledge—

(i) when operating another helicopter of the same type; or

(ii) when changing equipment procedures on types of variants currently operated; and

(c) the operator referred to in sub—regulation (1) shall specify in the operations manual when such differences training or familiarisation training is required.

(3) An Operator shall provide helicopter differences training for flight operations officers when the operator has helicopter variances within the same type of helicopter, which includes at least the following—

(a) operations procedures—

(i) operations under adverse weather phenomena conditions, including clear air turbulence, wind shear, and thunderstorms;

(ii) mass and balance computations and load control procedures;

(iii) helicopter performance computations, to include lift—off mass limitations based on departure, arrival , and en -route limitations, and also engine-out limitations;

(iv) flight planning procedures, to include route selection, flight time, and fuel requirements analysis;

(v) dispatch release preparation;

(vi) crew briefings;

(vii) flight monitoring procedures;

(viii) flight crew response to various emergency situations, including the assistance the helicopter flight operations officer can provide in each situation;

(ix) minimum equipment list and configuration deviation list procedures;

(x) manual performance of required procedures in case of the loss of automated capabilities;

(xi) training in appropriate geographic areas;

(xii) air traffic control and instrument flight rules procedures, to include ground hold and central flow control procedures; and

(xiii) radiotelephony procedures; and

(b) emergency procedures—

(i) actions taken to aid the flight crew; and

(ii) AOC holder and Authority notification.

Use of synthetic flight trainers.

79. A synthetic flight trainer that is used for flight crew member qualification shall—

(a) be specifically approved by the Authority for the—

(i) air operator certificate holder;

(ii) type helicopter, including type variations, for which the training or checking is being conducted; and

(iii) particular manoeuvre, procedure, or flight crew member function involved;

(b) maintain the performance, functional, and other characteristics that are required for approval;

(c) be modified to conform with any modification to the helicopter being simulated that results in changes to performance, functional, or other characteristics required for approval;

(d) be given a daily functional pre-flight check before use;

(e) have a daily discrepancy logbook kept by the appropriate instructor or check pilot at the end of each training or check flight; and

(f) for initial helicopter type training, be qualified for training and checking on the circling manoeuvre.

Helicopter and instrument proficiency checks.

80. (1) A person shall not serve nor shall any operator use a person as a flight crew member unless, since the beginning of the seventh calendar month before that service, that person has passed the proficiency check prescribed by the Authority in the make and model of helicopter on which their services are required.

(2) A person shall not serve nor shall any operator use a person as a flight crew member in instrument flight rules operations unless, since the beginning of the seventh calendar month before that service, that pilot has passed the instrument competency check prescribed by the Authority.

(3) A flight crew member may complete the requirements of subregulations (1) and (2) of this regulation simultaneously in a make and model of the helicopter.

(4)The completion of an approved operator training programme for the particular helicopter type and the satisfactory completion of a pilot-in command (PIC) proficiency check, shall satisfy the requirement for a helicopter type rating practical test provided that the proficiency check—

(a) includes all manoeuvres and procedures required for a type rating practical test; and

(b) is conducted by an examiner.

(5) Helicopter and instrument proficiency checks for PIC and co-pilot shall include the following operations and procedures listed in Table 1 below—

TABLE 1

Type of Operations or procedures	PIC or Co-pilot	Notes
Ground Operations		
Preflight inspections	PIC or Co-pilot	
Taxiing	PIC or Co-pilot	Both pilots may take simultaneous credit
Power plant checklist	PIC or Co-pilot	Both pilots may take simultaneous credit
Take-offs		
Normal	PIC or Co-pilot	
Instrument	PIC or Co-pilot	
Crosswind	PIC or Co-pilot	
With power plant fail	PIC or Co-pilot	
Rejected take-off	PIC or Co-pilot	Both pilots may take simultaneous credit. May be waived.
Instrument Procedures		
Area departure	PIC or Co-pilot	May be waived
Area arrival	PIC or Co-pilot	May be waived
Holding	PIC or Co-pilot	May be waived
Normal ILS approach	PIC or Co-pilot	
Engine-out ILS	PIC or Co-pilot	
Coupled ILS approach	PIC or Co-pilot	Both pilots may take simultaneous credit
Nonprecision approach	PIC or Co-pilot	
Second nonprecision approach	PIC or Co-pilot	
Missed approach from an ILS	PIC or Co-pilot	

Second missed approach	PIC only	
Circling approach	PIC or Co-pilot	Only when Authorized in the AOC holder's operations manual. May be waived.
Inflight maneuvers		
Steep turns	PIC only	May be waived.
Specific flight characteristics	PIC or Co-pilot	
Approaches to stall	PIC or Co-pilot	May be waived.
Power plant failures	PIC or Co-pilot	
2 engine inoperative approach(3 and 4 engine aircraft)	PIC or Co-pilot	
Normal landing	PIC or Co-pilot	
Landing from an ILS	PIC or Co-pilot	
Cross landing	PIC or Co-pilot	
Landing with Engine -out	PIC or Co-pilot	
Landing from circling approach	PIC only	Only if Authorized in the operations manual
Normal and non-normal landing procedures	PIC or Co-pilot	
Rejected landing	PIC or Co-pilot	
2 engine inoperative approach(3 and 4 engine aircraft)	PIC or Co-pilot	
Other events	PIC or Co-pilot	Examiners Discretion

(6) Examiners or check pilots may waive certain events on the proficiency check based on an assessment of the pilot's demonstrated level of performance.

(7) The oral and flight phases of a proficiency check should not be conducted simultaneously.

(8) When the examiner or check pilot determines that a pilot's performance is unsatisfactory, the examiner or check pilot may terminate the check immediately.

(9) If the proficiency check must be terminated for mechanical or other reasons, and there are events which still need to be repeated, the examiner or check pilot shall issue a letter of discontinuance, valid for sixty days, listing the specific areas of operation that have been successfully completed.

(10) For pilots operating helicopter requiring two checks in a year, at least one of the two annual proficiency checks shall be conducted by an examiner. The other proficiency check may be conducted by a check pilot or the Authority.

Introduction of new equipment or procedures.

81. A person shall not serve nor shall an Operator use a person as a flight crew member when that service would require expertise in the use of new equipment or procedures for which a curriculum is included in the AOC holder's approved training programme, unless that person has satisfactorily completed that curriculum, with respect to both the crew member position and the particular variant of that helicopter.

Pilot qualification: recent experience.

82. (1) An operator shall not assign a pilot-in-command (PIC) or a co-pilot to operate at the flight controls of a helicopter during take-off and landing unless that pilot has operated the flight controls for at least three take-offs and landings within the preceding 90 days on

(a) the same type of helicopter or in a synthetic flight trainer approved for that purpose; and

(b) for night operations, made the three take-offs and landings required by (1) (a) at night.

(2) The take-offs and landings required by subregulation (1) may be performed in a visual synthetic flight trainer approved by the Authority to include take-off and landing manoeuvres and any person who fails to make the three required take-offs and landings within any consecutive ninety-day period shall re- establish recency of experience as provided in subregulation (3).

(3) In addition to meeting all applicable training and checking requirements of these Regulations, a required flight crew member who has not met the requirements of subregulation (1) shall re-establish recency of experience as follows—

(a) under the supervision of a check pilot, make at least three take-offs and landings in the type of helicopter in which that person is to serve or if an advanced synthetic flight trainer is used, the requirements of sub- regulation (4) shall be met;

(b) the take-offs and landings required in this paragraph shall include—

(i) at least one take-off with a simulated engine failure;

(ii) at least one landing from an instrument landing system approach to the lowest instrument landing system minimum authorized for the certificate holder as applicable; and

(iii) at least one landing to a full stop.

(4) A required flight crew member who performs the manoeuvres prescribed in subregulation (3) in a visual synthetic flight trainer shall—

(a) have previously logged fifty hours of flight time in the same helicopter type in which the pilot is to serve; and

(b) be observed on the first two landings made in operations under this Part by an approved check pilot who acts as pilot in-command and occupies a pilot seat and the landings must be made in weather minima that are not less than those contained in the AOC holder's operation specifications for Category I operations, and shall be made within forty-five days following completion of synthetic flight trainer training.

(5) When using a synthetic flight trainer to accomplish any of the requirements of subregulation (1) or (3), a required flight crew member position shall be operated as if in a normal in-flight environment without use of the repositioning features of the synthetic flight trainer.

(6) A check pilot who observes the take-offs and landings prescribed in sub- regulation (3)(a) and (4) shall certify that the person being observed is proficient and qualified to perform flight duty in operations under this Part and may require any additional manoeuvres that are determined necessary to make this certifying statement.

Pilot operating limitations and pairing requirements.

83. (1) Where a co-pilot has fewer than fifty hours of flight time as co-pilot in operations in the helicopter type being flown, and the pilot-in-command (PIC) is not an appropriately qualified check pilot, the PIC shall make all take-offs and landings in the following situations—

(a) special airports designated by the Authority or special heliports designated by the air operator certificate (AOC) holder; and

(b) in any of the following conditions—

(i) the prevailing visibility value in the latest weather report for the airports is at or below 1200 m;

(ii) the Runway Visual Range (RVR) for the runway to be used is at or below 4,000 feet;

(iii) the runway to be used has water, snow, slush or similar conditions that may adversely affect helicopter performance;

(iv) the braking action on the runway to be used is reported to be less than "good";

(v) the crosswind component for the runway to be used is in excess of 15 knots;

(vi) wind shear is reported in the vicinity of the airport; or

(vii) any other condition in which the PIC determines to be prudent to exercise the PIC's prerogative.

(2) A person shall not conduct operations under the Civil Aviation (Air Operator Certification and Administration) Regulations, unless, for that type of helicopter, either the PIC or the co-pilot has at least forty hours of line operating flight time, either as PIC or co-pilot.

(3) The Authority may, upon application by the AOC holder, authorize exemptions from the requirements of this regulation by an appropriate amendment to the operations specifications in any of the following circumstances—

(a) a newly certificated AOC holder does not employ any pilots who meet the minimum requirements of this regulation;

(b) an existing AOC holder adds to its fleet a helicopter type not before proven for use in its operations; or

(c) an existing certificate holder establishes a new domicile to which it assigns pilots who will be required to become qualified on the helicopter operated from that domicile.

Competence checks: flight operations officer.

84. (1) A person shall not serve nor shall any Operator use a person as a flight operations officer unless, within the preceding twelve months before that service, that person has passed the competency check, approved by the Authority, performing the flight preparation and subsequent duties appropriate to that person's assignment.

(2) Evaluator of the flight operations officer referred to under subregulation (1) shall conduct competency checks for flight operations officers to demonstrate that the candidate's proficiency level is sufficient to ensure the successful outcome of all dispatch operations.

(3) An authorized person shall observe and evaluate competency checks for flight operations officers

(4) Each competency check for flight operations officers shall include—

(a) an evaluation of all aspects of the dispatch function;

(b) a demonstration of the knowledge and abilities in normal and abnormal situations; and

(c) an observation of actual flights being dispatched.

(5) An Evaluator of newly hired flight operations officer shall include during initial competency checks, an evaluation of all of the geographic areas and types of helicopter the flight operations officer shall be qualified to dispatch.

(6) The authorized person may approve a competency check of representative helicopter types when, in his judgement, a check including all types is impractical or unnecessary.

(7) The Evaluator may limit initial equipment and transition competency checks solely to the dispatch of the types of helicopter on which the flight operations officer is qualifying, unless the check is to simultaneously count as a recurrent check.

(8) An Evaluator of flight operations officers shall include, during recurrent and re-qualification competency checks, a representative sample of aircraft and routes for which the flight operations officers maintains current qualification.

Supervised line flying: pilots.

85. (1) A pilot initially qualifying as pilot-in-command (PIC) shall complete a minimum of ten flights performing the duties of a PIC under the supervision of a check pilot.

(2) A PIC transitioning to a new helicopter type shall complete a minimum of five flights performing the duties of a PIC under the supervision of a check pilot.

(3) A pilot qualifying for duties other than PIC shall complete a minimum of five flights performing those duties under the supervision of a check pilot.

(4) During the time that a qualifying PIC is acquiring operating experience, an authorised instructor who is also serving as the PIC shall occupy a co-pilot station.

(5) In the case of a transitioning PIC, the check pilot serving as PIC may occupy the observer's seat if the transitioning pilot has made at least two take-offs and landings in the type helicopter used, and has satisfactorily demonstrated to the authorized instructor that he is qualified to perform the duties of a PIC for that type of helicopter.

Supervised line experience: cabin crew.

86. A person training as a cabin crew member shall—

(a) perform the functions of a cabin crew member for a minimum of two flights under the supervision of a cabin crew instructor; and

(b) during the two flights, not serve as a required crew member.

Flight Operations Officer / Flight dispatcher.

87. (1) An operator engaging flight operations officer/flight dispatcher, employed in conjunction with an approved method of control and supervision of flight operations shall be licensed in accordance with the provisions of Civil Aviation (Personnel Licensing) Regulations.

(2) In accepting proof of qualifications other than the option of holding of a flight operations officer/flight dispatcher licence, the Authority, in accordance with the approved method of control and supervision of flight operations, shall require that, as a minimum, such persons meet the requirements specified in Civil Aviation (Personnel Licensing) Regulations for the flight operations officer/flight dispatcher licence.

(3) A flight operations officer/flight dispatcher shall not be assigned to duty unless that person has—

(a) satisfactorily completed the operator-specific training course that addresses all the specific components of its approved method of control and supervision of flight operations specified in Civil Aviation (Air Operator Certification and Administration) Regulation;

(b) made, within the preceding 12 months, at least a one qualification flight in the flight crew compartment of a helicopter over any area for which that individual is authorized to exercise flight supervision. The flight should include landings at as many landing areas as practicable;

(c) demonstrated to the operator a knowledge of—

(i) the contents of the operations manual;

(ii) the radio equipment in the helicopter used; and

(iii) the navigation equipment in the helicopter used;

(d) demonstrated to the operator a knowledge of the following details concerning operations for which the officer is responsible in areas which that individual is authorized to exercise flight supervision—

(i) the seasonal meteorological conditions and the sources of meteorological information;

(ii) the effects of meteorological conditions on radio reception in the helicopter used;

(iii) the peculiarities and limitations of each navigation system which is used by the operation; and

(iv) the helicopter loading instructions;

(e) demonstrated to the operator a knowledge of the following details concerning operations for which the officer is responsible and areas in which that individual is authorized to exercise flight supervision—

(i) the seasonal meteorological conditions and the sources of meteorological information;

(ii) the effects of meteorological conditions on radio reception in the helicopter used;

(iii) the peculiarities and limitations of each navigation system which is used by the operation; and

(iv) the helicopter loading instructions.

(f) demonstrated to the operator knowledge and skills related to human performance relevant to dispatch duties; and

(g) demonstrated to the operator the ability to perform the duties specified in regulation 39.

Route and area checks: pilot qualification.

88. (1) A person shall not serve nor shall any Operator use a person as a pilot unless, within the preceding twelve months, that person has passed a route check in which the person satisfactorily performed assigned duties in one of the types of helicopter to be flown.

(2) A person shall not perform pilot-in-command (PIC) duties over a designated special operational area that requires a special navigation system or procedures unless the competency with the system and procedures has been demonstrated to the AOC holder within the past twelve months.

(3) A PIC of a helicopter shall demonstrate special operational competency by navigation over the route or area as PIC under the supervision of a check pilot on an annual basis by demonstrating a knowledge of—

(a) the terrain and minimum safe altitudes;

(b) the seasonal meteorological conditions;

(c) the search and rescue procedures;

(d) the navigational facilities and procedures, including any long-range navigation procedures, associated with the route along which the flight is to take place;

(e) procedures applicable to flight paths over heavily populated areas of high air traffic density, obstructions, physical layout, lighting, approach aids and arrival, departure, holding and instrument approach procedures, and applicable operating minima; and

(f) the meteorological, communication and air traffic facilities, services and procedures.

Low minimums authorisation: PIC

89. Where a pilot-in-command (PIC) has not completed—

(a) fifteen flights performing PIC duties in a helicopter type, including five approaches to landing using Category I or II operations procedures, that PIC shall not plan for or initiate an instrument approach when the ceiling is less than 300 feet and the visibility is less than 2000 m; and

(b) twenty flights performing PIC duties in an aircraft including five approaches and landing using Category III operations procedures, that PIC shall not plan for or initiate an approach when the ceiling is less than 100 feet or the visibility is less than 400 m runway visual range (RVR).

Designated special aerodromes : PIC qualification.

90. (1) The Authority may determine that certain aerodromes, due to items such as surrounding terrain obstructions, or complex approach or departure procedures are special airport qualifications and that certain areas or routes, or both require a special type of navigation qualification.

(2) A person shall not serve nor shall any Operator use a person as pilot-in- command (PIC) for operations at special airport qualifications aerodromes unless within the preceding twelve months the PIC—

(a) has been qualified by the Operator through a pictorial means acceptable to the Authority for that aerodrome; or

(b) the assigned co-pilot has made a take-off and landing at that aerodrome while serving as a flight crew member for the AOC holder.

Designated special airport qualifications aerodrome limitations.

91. (1) Designated special airport qualifications aerodrome limitations are not applicable if the operation occurs—

(a) during daylight hours;

(b) when the visibility is at least 5 km; and

(c) when the ceiling at that aerodrome is at least 1,000 feet above the lowest initial approach altitude prescribed for an instrument approach procedure.

(2) Where helicopters are operated to or from aerodromes in a congested hostile environment, the Authority in which the aerodrome is situated shall specify the requirements to enable these operations to be conducted in a manner that gives appropriate consideration for the risk associated with an engine failure.

Recurrent, requalification training and checking: flight crew members.

92. (1) An operator shall ensure that—

(a) a flight crew member undergoes recurrent training listed in subregulation (2) and checking in subregulation (3) and that all such training and checking is relevant to the type or variant of aircraft on which the flight crew member operates; and

(b) a recurrent training and checking programme is established in the operations manual and approved by the Authority.

(2) Recurrent training referred to in subregulation (1) shall be conducted by the following personnel—

(a) ground and refresher training: by suitably qualified personnel;

(b) helicopter synthetic flight trainer training: by an authorized instructor or in the case of the synthetic flight trainer content schedule, a synthetic flight trainer authorized instructor provided that the authorized instructor or synthetic flight trainer authorized instructor satisfied the operator's experience and knowledge requirements sufficient to instruct on the items specified in the operations manual;

(c) emergency and safety equipment training: by suitably qualified personnel;

(d) crew resource management training: by suitably qualified personnel to integrate elements of crew resource management into all phases of recurrent training; and

(e) modular crew resource management training: by at least one Crew Resource Management (CRM) trainer acceptable to the Authority who may be assisted by experts in order to address specific areas.

(3) The recurrent checking referred to in subregulation (1) shall be conducted by the following personnel—

(a) operator proficiency checks: by a check pilot or flight engineer authorized by the AOC holder and accepted by the Authority, as appropriate, or, if the check is conducted in a synthetic flight trainer training device, by check pilot or authorized flight engineer as appropriate;

(b) line checks: by a check pilot of the operator and acceptable to the Authority; and

(c) emergency and safety equipment checking by suitably qualified personnel acceptable to the Authority.

(4) The period of validity of an operator proficiency check shall be—

(a) six months in addition to the remainder of the month of issue; or

(b) if issued within the final three months of validity of a previous operator proficiency check, extended from the date of issue until six months from the expiry date of that previous operator proficiency check.

(5) An operator shall ensure that each flight crew member undergoes a line check on the helicopter to demonstrate his competence in carrying out normal line operations described in the operations manual.

(6) The period of validity of a line check referred to in subregulation (5) shall be—

(a) twelve months, in addition to the remainder of the month of issue; or

(b) if issued within the final three months of validity of a previous line check, extended from the date of issue until twelve months from the expiry date of that previous check.

(7) An operator shall ensure that each flight crew member undergoes training and checking on the location and use of emergency and safety equipment carried.

(8) The period of validity of an emergency and safety equipment check referred to in subregulation (7) shall be—

(a) twelve months in addition to the remainder of the month of issue; or

(b) if issued within the final three months of validity of a previous emergency and safety check, extended from the date of issue until twelve months from the expiry date of the previous emergency and safety equipment check.

(9) An operator shall ensure that—

(a) elements of CRM are integrated into all appropriate phases of the recurrent training; and

(b) a flight crew member undergoes specific modular CRM training and all major topics of CRM training shall be covered over a period not exceeding three years.

(10) An operator shall ensure that each flight crew member undergoes ground and refresher training at least every twelve months, if the training is conducted within three months prior to the expiry of the twelve months period, the next ground and refresher training must be completed within twelve months of the original expiry date of the previous ground and refresher training.

(11) An operator shall ensure that each flight crew member undergoes aircraft training or synthetic flight trainer training at least every twelve months, if the training is conducted within three months prior to the expiry of the twelve months period, the next aircraft or synthetic flight trainer training must be completed within twelve months of the original expiry date of the previous aircraft or synthetic flight trainer training.

(12) An Operator shall establish and maintain a requalification curriculum, that covers the requirements for requalifying a flight crew member, or an instructor who has not maintained continuing qualification.

(13) The requalification curriculum outlined in subregulation (12) shall be approved by the Authority and contained in the operations manual.

(14) The minimum content and training hours recommended for requalification training shall be set up in accordance to Table 2 below and shall be based on the length of time the flight crew member has been unqualified.

TABLE 2

TIME PAST DUE (length of crew member unqualified status)	REQUALIFICATION GROUND TRAINING SEGMENT	REQUALIFICATION FLIGHT TRAINING SEGMENT	QUALIFICATION SEGMENT
Up to 12 calendar-months	All recurrent ground training elements not accomplished when due	All recurrent flight training elements not accomplished when due	Curriculums to cover modules not accomplished in the eligibility period, as applicable to duty such as instrument checks, proficiency and line checks knowledge test and etc.
12-35 months	All recurrent ground training elements 25% of hours of initial equipment training	All recurrent flight training elements 25% of hours of initial equipment training	As applicable to duty position. This would include instrument checks proficiency and line checks knowledge test and etc.
36-59 months	All recurrent ground training elements. 50% of hours of initial equipment training	All recurrent flight training elements. 50% of hours of initial equipment training	As applicable to duty position. This would include instrument checks proficiency and line checks knowledge test and etc.
More than 59 months	- SAME AS INITIAL EQUIPMENT TRAINING AND QUALIFICATION-		

Recurrent, requalification training and checking: cabin crew members.

93. (1) An operator shall ensure that a cabin crew member undergoes recurrent training, covering the actions assigned to each cabin crew member in normal and emergency procedures and drills relevant to the type or variant of aircraft on which they operate as specified in this regulation.

(2) An operator shall ensure that the recurrent training and checking programme, approved by the Authority includes theoretical and practical instruction together with individual practice as provided in this regulation.

(3) The period of validity of recurrent training and the associated checking required by this regulation shall be twelve months in addition to the remainder of three—month of issue.

(4) If issued within the final three calendar months of validity of a previous check, the period of validity shall extend from the date of issue until twelve months from the expiry date of that previous check.

(5) An operator shall ensure that recurrent training required under this regulation is conducted by suitably qualified persons.

(6) An operator shall ensure that every twelve months, the programme of practical training includes the following—

(a) emergency procedures including pilot incapacitation;

(b) evacuation procedures including crowd control techniques;

(c) touch drills by each cabin crew member for opening normal and emergency exits for passenger evacuation;

(d) the location and handling of emergency equipment, including oxygen systems, and the donning by each cabin crew member of lifejackets, portable oxygen and protective breathing equipment;

(e) first aid and the contents of the first aid kit;

(f) stowage of articles in the cabin;

(g) security procedures;

(h) incident and accident review; and

(i) crew resource management.

(7) An operator shall ensure that, at intervals not exceeding three years, recurrent training for cabin crew members also includes—

(a) the operation and actual opening of all normal and emergency exits for passenger evacuation in a helicopter or representative training device;

(b) demonstration of the operation of all other exits including cock pit windows;

(c) the training of cabin crew member undergoing realistic and practical training in the use of all fire-fighting equipment, including protective clothing, representative of that carried in the helicopter shall include—

(i) each cabin crew member extinguishing a fire characteristic of a helicopter interior fire except that, in the case of Halon extinguishers, an alternative extinguishing agent may be used;

(ii) the donning and use of protective breathing equipment by each cabin crew member in an enclosed, simulated smoke-filled environment;

(iii) use of pyrotechnics, actual or representative devices; and

(iv) demonstration of the use of the life-raft where fitted.

(8) An operator shall ensure that all appropriate requirements in these regulations are included in the training of cabin crew members.

(9) An Operator shall establish and maintain a requalification curriculum, that covers the requirements for requalifying a cabin crew member, or an instructor who has not maintained continuing qualification.

(10) The requalification curriculum outlined in subregulation (9) shall be approved by the Authority and contained in the operations manual.

(11) The minimum content and training hours recommended for requalification training shall be set up in accordance to Table 3 below and shall be based on the length of time the cabin crew member has been unqualified.

Table 3

TIME PAST DUE (length of crew member unqualified status)	REQUALIFICATION GROUND TRAINING SEGMENT	REQUALIFICATION FLIGHT TRAINING SEGMENT	QUALIFICATION SEGMENT
Up to 12 calendar-months	All recurrent ground training elements not accomplished when due	All recurrent flight training elements not accomplished when due	Curriculums to cover modules not accomplished in the eligibility period, as applicable to duty such as instrument checks, proficiency and line checks knowledge test and etc.
12-35 months	All recurrent ground training elements 25% of hours of	All recurrent flight training elements 25% of hours of	As applicable to duty position. This would include instrument checks proficiency and

	initial equipment training	initial equipment training	line checks knowledge test and etc.
36-59 months	All recurrent ground training elements. 50% of hours of initial equipment training	All recurrent flight training elements. 50% of hours of initial equipment training	As applicable to duty position. This would include instrument checks proficiency and line checks knowledge test and etc.
More than 59 months	- SAME AS INITIAL EQUIPMENT TRAINING AND QUALIFICATION-		

Recurrent training: flight operations officers.

94. (1) A person shall not serve nor shall an Operator use a person as a flight operations officer unless within the preceding twelve months that person has completed the recurrent ground curricula approved by the Authority.

(2) An Operator shall establish and maintain a recurrent training programme, approved by the Authority and established in the AOC holder's operations manual, to be completed annually by each flight operations officer.

(3) A flight operations officer shall undergo recurrent training relevant to the type or variant of helicopter and operations conducted by the AOC holder.

(4) An Operator shall conduct all recurrent training, of flight operations officers, by suitably qualified personnel.

(5) An Operator shall ensure that, every twelve months, each flight operations officer receive recurrent training in at least the following—

(a) helicopter—specific flight preparation;

(b) emergency assistance to flight crews;

(c) crew resource management; and

(d) recognition and transportation of dangerous goods.

(6) An AOC holder may administer each of the recurrent ground and flight training curricula concurrently or intermixed, but shall record completion of each of these curricula separately.

(7) A flight operations officer shall undergo recurrent training relevant to the type or variant of aircraft and operations conducted by the AOC holder.

PART VIII —MANUALS, LOGS AND RECORDS

Flight manual.

95. The flight manual shall be updated by implementing changes made mandatory by the Authority.

Operator's maintenance control manual.

96. The operator shall maintain a maintenance control manual as required in the Civil Aviation (Air Operator Certification and Administration) Regulations.

Maintenance programme.

97. A maintenance programme for each helicopter shall contain the information contained in the Civil Aviation (Air Operator Certification and Administration) Regulations.

Records of emergency and survival equipment carried.

98. Operators shall at all times have available for immediate communication to rescue coordination centres, lists containing information on the emergency and survival equipment carried on board any of their helicopters engaged in international air navigation. The information shall include, as applicable, the number, colour and type of life rafts and pyrotechnics, details of emergency medical supplies, water supplies and the type and frequencies of the emergency portable radio equipment.

Flight recorder records.

99. The operator shall ensure, to the extent possible, in the event the helicopter becomes involved in an accident or incident, the preservation of all related flight recorder records, and if necessary the associated flight recorders, and their retention in safe custody pending their disposition as determined in accordance with the Civil Aviation (Air Accident Investigation) Regulations.

PART IX—CABIN CREW

Assignment of emergency duties.

100. The operator shall establish, to the satisfaction of the Authority, the minimum number of cabin crew required for each type of helicopter, based on seating capacity or the number of passengers carried, which shall not be less than the minimum number established during certification, in order to effect a safe and expeditious evacuation of the helicopter, and the necessary functions to be performed in an emergency or a situation requiring emergency evacuation. The operator shall assign these functions for each type of helicopter.

Protection of cabin crew during flight.

101. Each cabin crew member shall be seated with seat belt or, when provided, safety harness fastened during take-off and landing and whenever the pilot-in- command so directs.

Training.

102. The operator shall establish and maintain a training programme, approved by the Authority, to be completed by all persons before being assigned as a cabin crew member. Cabin crew members shall complete a recurrent training programme annually and these training programmes shall ensure that each person is—

(a) competent to execute those safety duties and functions that the cabin attendant is assigned to perform in the event of an emergency or in a situation requiring emergency evacuation;

(b) drilled and capable in the use of emergency and life-saving equipment required to be carried, such as life jackets, life rafts, evacuation slides, emergency exits, portable fire extinguishers, oxygen equipment, first- aid and universal precaution kits, and automated external defibrillators;

(c) when serving on helicopters operated above 3 000 m (10 000 ft), knowledgeable as regards the effect of lack of oxygen

and, in the case of pressurized helicopters, as regards physiological phenomena accompanying a loss of pressurization;

(d) aware of other crew members' assignments and functions in the event of an emergency so far as is necessary for the fulfilment of the cabin crew member's own duties;

(e) aware of the types of dangerous goods which may, and may not, be carried in a passenger cabin; and

(f) knowledgeable about human performance as related to passenger cabin safety duties including flight crew-cabin crew coordination.

Flight time, flight duty periods and rest periods.

103. The Authority shall establish regulations specifying the limits applicable to flight time, flight duty periods and rest periods for cabin crew as specified in the First Schedule.

PART X— DANGEROUS GOODS

Operators with no specific approval for the transport of dangerous goods as cargo

104. (1) An Operator with no specific approval to transport dangerous goods shall—

(a) establish a dangerous goods training programme that meets—

(i) the requirements of the Civil Aviation (Air Operator Certification and Administration) Regulations and the Civil Aviation (Safe Transport of Dangerous Goods by Air) Regulations; and

(ii) the applicable requirements of the Technical Instructions, as appropriate;

(b) establish dangerous goods policies and procedures in their operations manuals to meet, at a minimum, the requirements of the Civil Aviation (Air Operator Certification and Administration) Regulations and the Civil Aviation (Safe Transport of Dangerous Goods by Air) Regulations to allow operator personnel to—

(i) identify and reject undeclared or misdeclared dangerous goods in cargo or mail, including COMAT classified as dangerous goods;

(ii) report to the Authority, and the State in which it occurred, any—

(aa) occasions when undeclared or misdeclared dangerous goods are discovered in cargo or mail; and

(bb) dangerous goods accidents and incidents

(2) Details of the dangerous goods training programme, shall be included in the operator's operations manuals.

Operators with a Specific Approval for the Transport of Dangerous Goods as Cargo

105. An Operator with specific approval to transport dangerous goods shall—

(a) establish a dangerous goods training programme that meets;

(i) the requirements of the Civil Aviation (Air Operator Certification and Administration) Regulations and the Civil Aviation (Safe Transport of Dangerous Goods by Air) Regulations; and

(ii) the applicable requirements of the Technical Instructions, as appropriate. Details of the dangerous goods training programme, shall be included in the operator's operations manuals.

(b) establish dangerous goods policies and procedures in their operations manuals to meet, at a minimum, the requirements of the Civil Aviation (Air Operator Certification and Administration) Regulations and the Civil Aviation (Safe Transport of Dangerous Goods by Air) Regulations to allow operator personnel to

(i) identify and reject undeclared or misdeclared dangerous goods in cargo or mail, including COMAT classified as dangerous goods;

(ii) report to the Authority, and the State in which it occurred, any—

(aa) occasions when undeclared or misdeclared dangerous goods are discovered in cargo or mail; and

(bb) dangerous goods accidents and incidents

(c) report to the Authority any occasions when dangerous goods are discovered to have been carried—

(i) when not loaded, segregated, separated or secured in accordance with the Technical Instructions; and

(ii) without information having been provided to the pilot-in-command;

(d) accept, handle, store, transport, load and unload dangerous goods, including COMAT classified as dangerous goods as cargo on board an aircraft;

(e) provide the pilot-in-command with accurate and legible written or printed information concerning dangerous goods that are to be carried as cargo; and

(f) for helicopter operations, with the approval of the Authority, the information provided in subregulation (1)(f) to the pilot-in-command may be abbreviated or briefed by other means such as radio communication, as part of the working flight

documentation such as a journey log or operational flight plan where circumstances make it impractical to produce written or printed information or a dedicated form.

Loading and securing of dangerous goods

106. Packages or overpacks of dangerous goods bearing the "cargo aircraft only" label shall be loaded on a helicopter performing cargo only operations in accordance with the Technical Instructions.

Dispensing or expending of dangerous goods from helicopters

107. (1) Each operator shall prepare and keep current a manual containing operational guidelines and handling procedures for the use and guidance of flight, maintenance and ground personnel concerned in the dispensing or expending of dangerous goods.

(2) No person, other than a required flight crew member, or person necessary for handling or dispensing the dangerous goods, shall be carried on the aircraft.

(3) The operator of the aircraft shall have prior permission for the dispensing or expending of dangerous goods from the owners of any airport to be used.

Provision of Information

108. The operator shall ensure that all personnel, including third-party personnel, involved in the acceptance, handling, loading and unloading of cargo are informed of the operator's specific approval and limitations with regard to the transport of dangerous goods.

PART XI—INSTRUCTOR AND CHECK PERSONNEL QUALIFICATIONS AND TRAINING

Authorised Instructor qualifications – flight crew, cabin crew, flight operations officer

109. (1) An Operator shall not use a person as a flight instructor in an established flight training programme unless, with respect to the helicopter type involved, that person—

(a) holds the personnel licenses and ratings required to serve as a PIC or a flight engineer, as applicable;

(b) has satisfactorily completed the appropriate training phases for the helicopter, including recurrent training and differences training, that are required to serve as a PIC or flight engineer, as applicable;

(c) has satisfactorily completed the appropriate proficiency, competency and recency of experience checks that are required to serve as a PIC or flight engineer, as applicable;

(d) has satisfactorily completed the applicable initial or transitional training requirements and the Authority-observed in-flight competency check; and

(e) holds the appropriate medical certificate for service as a required crew member.

(2) An operator shall not use a person as an instructor in an established cabin crew training programme unless, with respect to the aircraft type or position involved, that person—

(a) holds or has held the qualification required to serve as a cabin crew member;

(b) satisfactorily completed the appropriate training phases for the helicopter and position involved, including recurrent training and differences training, that are required to serve as a cabin crew member;

(c) has satisfactorily completed the appropriate competency and recency of experience checks that are required to service as a cabin crew member; and

(d) has satisfactorily completed the applicable initial or transitional training requirements and the Authority observed competency check.

(3) An operator shall not use a person as an instructor in an established flight operations officer training programme unless, with respect to the helicopter type and position involved, that person—

(a) holds the license required to serve as a flight operations officer;

(b) has satisfactorily completed the appropriate training phases for the helicopter or position involved, including recurrent training and differences training, that are required to serve as a flight operations officer;

(c) has satisfactorily completed the appropriate competency and recency of experience checks that are required to serve as a flight operations officer; and

(d) has satisfactorily completed the applicable initial or transitional training requirements and the Authority observed competency check.

Instructor training.

110.(1) A person shall not serve as an instructor for flight crew, cabin crew or flight operations officers, unless that person has completed the curricula approved by the Authority for those functions for which they are to serve.

(2) The training programme requirements for flight crew, cabin crew and flight operations officers instructors shall be as contained in the Second Schedule.

Personnel approved to conduct checks.

111.(1) The Authority may approve the following operator personnel to conduct checks when such personnel meet the requirements for the authorised responsibilities, and may be approved for either helicopter or simulator, or both, as applicable—

(a) check pilot;

(b) check cabin crew member; and

(c) check flight operations officer.

(2) The authorised duties of check personnel are to—

(a) conduct initial and recurrent proficiency checks for flight crew and competency checks for cabin crew and flight operations officers;

(b) certify as satisfactory, the knowledge and proficiency of the flight crew, and the knowledge and competency of the cabin crew and flight operations officers; and

(c) for all check personnel, supervise Operating Experience (OE).

(3) A person shall not serve as a check personnel under the operator's crew member checking and training programme unless that person—

(a) has been identified by name and function and approved in writing by the Authority; and

(b) has successfully completed the operator's curricula approved by the Authority for those functions for which he or she is to serve.

(4) Once approved, no person may serve nor may any operator use a person as a check personnel for any flight crew, cabin crew or flight operations officer checks unless that person has demonstrated, initially and at least bi-annually to an Authority inspector, the ability to conduct a check for which he or she is approved.

Check personnel qualifications-flight crew training.

112. An operator shall not use a person as a check personnel in an established flight crew training programme unless, with respect to the aircraft type involved, that person—

(a) holds the personnel licenses and ratings required to serve as a PIC or a flight engineer, as applicable;

(b) has satisfactorily completed the appropriate training phases for the helicopter, including recurrent training and differences training, that are required to serve as a PIC or flight engineer, as applicable;

(c) has satisfactorily completed the appropriate proficiency, competency and recency of experience checks that are required to serve as a PIC or flight engineer, as applicable;

(d) has satisfactorily completed the applicable initial or transitional training requirements and the Authority-observed in-flight competency check for check personnel duties;

(e) holds the appropriate medical certificate if serving as a required flight crew member; and

(f) has been approved by the Authority for the check personnel duties involved.

Check personnel qualifications-simulator additional requirements.

113. A person shall not serve as a check personnel in a flight simulation training device, unless, since the beginning of the 12th calendar month before that service, that person has—

(a) flown at least five flights as a required crew member for the type of aircraft involved; or

(b) observed, on the flight deck, the conduct of two complete flights in the aircraft type to which the person is assigned.

Check personnel for cabin crew.

114. An Operator shall not use a person as a check cabin crew member in an established cabin crew training programme unless, with respect to the aircraft type or position involved, that person—

(a) holds or has held the cabin crew member certificate;

(b) has satisfactorily completed the appropriate training phases for the helicopter and or position, including recurrent training and differences training, that are required to serve as a cabin crew member;

(c) has satisfactorily completed the appropriate competency and recency of experience checks that are required to serve as a cabin crew member;

(d) has satisfactorily completed the applicable initial or transitional training requirements and the Authority-observed competency check for the check personnel duties; and

(e) has been approved by the Authority for the check cabin crew member duties involved.

Check personnel for flight operations officers.

115. An operator shall not allow a person to serve as a check flight operations officer in an established flight operations officer training programme unless, with respect to the aircraft type or position involved, that person—

(a) holds the license required to serve as a flight operations officer;

(b) has satisfactorily completed the appropriate training phases for the helicopter or position, including recurrent training and differences training, that are required to serve as a flight operations officer;

(c) has satisfactorily completed the appropriate competency and recency of experience checks that are required to serve as a flight operations officer;

(d) has satisfactorily completed the applicable initial or transitional training requirements and the Authority-observed competency check for the check flight operations officer duties; and

(e) has been approved by the Authority for the check flight operations officer duties involved.

Check personnel training.

116. (1) An operator shall not use a person for checks unless that person has completed the curricula approved by the Authority for those functions for which they are to serve.

(2) Specific training programme requirements for check personnel shall be as specified in the Second Schedule.

Monitoring of training and

117. (1) To enable adequate supervision of its training and checking activities, the operator shall forward to the Authority at least

five (5) working days before the scheduled activity the dates, report times and report location of all— checking activities.

(a) training for which a curriculum is approved in the Operator's training programme; and

(b) proficiency, competency and line checks.

(2) Failure to provide the information required under subregulation (1) may invalidate the training or check and the Authority may require that it be repeated for observation purposes.

118. If it is necessary to terminate a check for any reason, the Operator may not use the crew member or flight operations officer in commercial air transport operations until the completion of a satisfactory recheck. Termination of a proficiency, competency or line check.

PART XII—HELICOPTER GENERAL AVIATION

General

119. (1) The pilot-in-command shall comply with the relevant laws, regulations and procedures of the States in which the helicopter is operated. Compliance with laws, regulations and procedures.

(2) The pilot-in-command shall be responsible for the operation and safety of the helicopter and for the safety of all crew members, passengers and cargo on board, from the moment the engine(s) are started until the helicopter finally comes to rest at the end of the flight, with the engine(s) shut down and the rotor blades stopped.

(3) If an emergency situation which endangers the safety of the helicopter or persons necessitates the taking of action which involves a violation of local regulations or procedures, the pilot-in-command shall notify the appropriate local authority without delay and if required by the State in which the incident occurs, the pilot-in-command shall submit a report on any such violation to the appropriate authority of such State, in that event, the pilot-in-command shall also submit a copy of it to the Authority and such reports shall be submitted as soon as possible and normally within ten days.

(4) The pilot-in-command shall be responsible for notifying the nearest appropriate authority by the quickest available means of any accident involving the helicopter, resulting in serious injury or death of any person or substantial damage to the helicopter or property.

(5) The pilot-in-command shall have available on board the helicopter essential information concerning the search and rescue services in the areas over which it is intended the helicopter will be flown.

(6) A helicopter shall carry on board the following manuals, charts and information—

(a) the flight manual or other documents or information concerning any operating limitations prescribed for the helicopter by the certificating authority of the State of Registry, required for the application of regulation 143;

(b) any specific approval issued by the State of Registry, if applicable, for the operation(s) to be conducted;

(c) current and suitable charts for the route of the proposed flight and all routes along which it is reasonable to expect that the flight may be diverted;

(d) procedures, as prescribed in the Civil Aviation (Rules of the Air) Regulations, for pilots-in-command of intercepted aircraft;

(e) a list of visual signals for use by intercepting and intercepted aircraft, as contained in the Civil Aviation (Rules of the Air) Regulations; and

(f) the journey log book for the helicopter.

(7) All helicopters required to comply with the noise certification Standards of Airworthiness, shall carry a document attesting noise certification.

(8) When the document referred to in subregulation (1), or a suitable statement attesting noise certification as contained in another document approved by the Authority is issued in a language other than English, it shall include an English translation.

Dangerous goods.

120. (1) A Kenyan-registered helicopter shall not carry any dangerous goods unless —

(a) the Authority has granted to the operator a dangerous goods approval, subject to such conditions as the Authority finds it fit, to carry dangerous goods on board its helicopter; and

(b) such goods are carried or loaded as cargo in any general aviation helicopter in accordance with—

(i) the provisions approved by the Authority and any conditions to which such approval may be subject; and

(ii) the Technical Instructions for the Safe Transport of Dangerous Goods by Air.

(2) An application for a dangerous goods approval shall—

(a) be submitted to the Authority for consideration before the proposed date of shipment; and

(b) contain the information required by the Authority and the duly completed dangerous goods transport document at the time the application is made.

(3) The Authority may issue a dangerous goods approval for the carriage of dangerous goods on a single return flight (ad hoc approval) or on more than 10 return flights over a period of 6 months (block approval).

(4) Subregulations (1) and (2) shall not apply to the following dangerous goods that are carried in compliance with the Technical Instructions —

(a) required to be aboard the helicopter in accordance with the relevant airworthiness requirements and operating regulations or that are authorised by the Authority to meet special requirements;

(b) required to provide, during flight, medical aid to a patient;

(c) required to provide, during flight, veterinary aid or a humane killer for an animal;

(d) required to provide, during flight, aid in connection with search and rescue operations;

(e) permitted for carriage by passengers or crew members;

(f) intended for use or sale during the flight in question;

(g) vehicles carried in helicopter designed or modified for vehicle ferry operations; or

(h) required for the propulsion of the means of transport or the operation of its specialised equipment during transport such as refrigeration units or that are required in accordance with any operating regulations such as fire extinguishers.

Use of psychoactive substances.

121. Provisions against the use of psychoactive substances shall be as prescribed in the Civil Aviation (Personnel Licensing) Regulations and the Civil Aviation (Rules of the Air) Regulations.

Specific approvals.

122. The pilot- in-command shall not conduct operations for which a specific approval is required unless such approval has been issued by the Authority and specific approvals shall follow the layout and contain at least the information listed in the Third Schedule.

Flight Operations

Adequacy of operating facilities.

123.The pilot-in-command shall not commence a flight, unless it has been ascertained by every reasonable means available that the ground or water facilities available and directly required for such flight and for the safe operation of the helicopter are adequate, including communication facilities and navigation aids.

Heliport or landing location operating minima.

124.(1) The owner or pilot-in-command shall establish operating minima in accordance with criteria specified by the Authority for each heliport or landing location to be used in operations and such minima shall not be lower than any that may be established by the State of the Aerodrome, except when specifically approved by that State.

(2) When establishing aerodrome operating minima, any conditions that may be prescribed in the list of specific approvals shall be observed.

(3) The Operator shall submit to the Authority for approval of operational credit(s) for operations with advanced aircraft. Where the operational credit relates to low visibility operations, the Authority shall issue a specific approval. Such approvals shall not affect the classification of the instrument approach procedure. Operational credit includes—

(a) for the purposes of an approach ban described in regulation 128(3)(b) or dispatch considerations, a minima below the heliport or landing location operating minima;

(b) reducing or satisfying the visibility requirements; or

(c) requiring fewer ground facilities as compensated for by airborne capabilities.

(4) When establishing operational credits for a specific approval, the Operator shall ensure that—

(a) the aircraft meets the appropriate airworthiness certification requirements;

(b) the information necessary to support effective crew tasks for the operation is appropriately available to both pilots where the number of flight crew members specified in the operations manual or other documents associated with the certificate of airworthiness is more than one;

(c) a safety risk assessment of the operations supported by the equipment has been carried out;

(d) there are established and documented normal and abnormal procedures and MEL;

(e) a training programme has been established for the flight crew members and relevant personnel involved in the flight preparation;

(f) a system for data collection, evaluation and trend monitoring for low visibility operations for which there is an operational credit has been established; and

(g) appropriate procedures in respect of continuing airworthiness (maintenance and repair) practices and programmes have been instituted.

(5) For operations with operational credit with minima above those related to low visibility operations, the operator shall establish a criteria for the safe operation of the aircraft for approval by the Authority.

Briefing.

125. (1) The pilot-in-command shall ensure that crew members and passengers are made familiar, by means of an oral briefing or by other means, with the location and the use of seat belts or harnesses and, as appropriate—

(a) emergency exits;

(b) life jackets;

(c) oxygen dispensing equipment; and

(d) other emergency equipment provided for individual use, including passenger emergency briefing cards.

(2) The pilot-in-command shall ensure that all persons on board are aware of the location and general manner of use of the principal emergency equipment carried for collective use.

Helicopter airworthiness and safety precaution.

126. A flight shall not be commenced until the pilot-in-command is satisfied that—

(a) the helicopter is airworthy, duly registered and that appropriate certificates with respect thereto are aboard the helicopter;

(b) the instruments and equipment installed in the helicopter are appropriate, taking into account the expected flight conditions;

(c) any necessary maintenance has been performed in accordance with Part VI of these Regulations;

(d) the mass of the helicopter and centre of gravity location are such that the flight can be conducted safely, taking into account the flight conditions expected;

(e) any load carried is properly distributed and safely secured; and

(f) the helicopter operating limitations contained in the flight manual, or its equivalent, will not be exceeded.

Weather reports and forecasts.

127. Before commencing a flight, the pilot-in-command shall be familiar with all available meteorological information appropriate to the intended flight and preparation for a flight away from the vicinity of the place of departure, and for every flight under IFR, shall include—

(a) a study of available current weather reports and forecasts; and

(b) the planning of an alternative course of action to provide for the eventuality that the flight cannot be completed as planned, because of weather conditions.

Limitations imposed by weather conditions –VFR, IFR, Heliport operating minima and Flight in icing conditions

128. (1) A flight, except one of purely local character in visual meteorological conditions, to be conducted in accordance with VFR shall not be commenced unless current meteorological reports, or a combination of current reports and forecasts, indicate that the meteorological conditions along the route, or that part of the route to be flown under VFR, shall, at the appropriate time, be such as to enable compliance with these rules.

(2) Flight in accordance with IFR—

(a) when an alternate is required, shall not be commenced unless the available information indicates that conditions, at the heliport of intended landing and at least one alternate heliport will, at the estimated time of arrival, be at or above the heliport operating minima;

(b) when no alternate is required to a heliport, shall not be commenced unless available current meteorological information indicates that the following meteorological conditions will exist from two hours before to two hours after the estimated time of arrival, or from the actual time of departure to two hours after the estimated time of arrival, whichever is the shorter period—

(i) a cloud base of at least 120 m (400 ft) above the minimum associated with the instrument approach procedure; and

(ii) visibility of at least 1.5 km more than the minimum associated with the procedure.

(3) Heliport operating minima—

(a) a flight shall not be continued towards the heliport of intended landing unless the latest available meteorological information indicates that conditions at that heliport, or at least one alternate heliport, shall, at the estimated time of arrival, be at or above the specified heliport operating minima;

(b) an instrument approach shall not be continued below 300 m (1 000 ft) above the heliport elevation or into the final approach segment unless the reported visibility or controlling RVR is at or above the heliport operating minima;

(c) if, after entering the final approach segment or after descending below 300 m (1 000 ft) above the heliport elevation, the reported visibility or controlling RVR falls below the specified minimum, the approach may be continued to DA/H or MDA/H and in any case, a helicopter shall not continue its approach-to- land beyond a point at which the limits of the heliport operating minima would be infringed.

(4) A flight to be operated in known or expected icing conditions shall not be commenced unless the helicopter is certificated and equipped to cope with such conditions.

Alternate heliports.

129.(1) For a flight to be conducted in accordance with IFR, at least one alternate heliport or landing location shall be specified in the operational flight plan and the flight plan, unless—

(a) the weather conditions in regulations 128(2) (a) prevail;

(b) heliport or landing location of intended landing is isolated and no alternate heliport or landing location is available;

(c) an instrument approach procedure is prescribed for the isolated heliport of intended landing; and

(d) a Point of No Return (PNR) is determined in case of an offshore destination.

(2) Suitable offshore alternates may be specified subject to the following—

(a) the offshore alternates shall be used only after passing a PNR and prior to a PNR, onshore alternates shall be used;

(b) mechanical reliability of critical control systems and critical components shall be considered and taken into account when determining the suitability of the alternate;

(c) one engine inoperative performance capability shall be attainable prior to arrival at the alternate;

(d) to the extent possible, deck availability shall be guaranteed; and

(e) weather information must be reliable and accurate.

(3) Offshore alternates should not be used when it is possible to carry enough fuel to have an onshore alternate and offshore alternate should not be used in a hostile environment.

Fuel and oil requirements.

130. (1) A flight shall not be commenced unless, taking into account both the meteorological conditions and any delays that are expected in flight, the helicopter carries sufficient fuel and oil to ensure that it can safely complete the flight and in addition, a reserve shall be carried to provide for contingencies.

(2) The fuel and oil carried in order to comply with subregulation (1) shall, in the case of VFR operations, be at least the amount to allow the helicopter to—

(a) fly to the landing site to which the flight is planned;

(b) have a final reserve fuel to fly thereafter for a period of 20 minutes at best-range speed; and

(c) have an additional amount of fuel to provide for the increased consumption on the occurrence of potential contingencies, as determined by the Authority.

(3) In case of IFR operations, the fuel and oil carried in order to comply with subregulation (1) shall be at least the amount to allow the helicopter—

(a) when no alternate is required, in terms of regulation 128 (2) (b), to fly to and execute an approach at the heliport or landing location to which the flight is planned, and thereafter to have—

(i) a final reserve fuel to fly 30 minutes at holding speed at 450 m (1 500 ft) above the destination heliport or landing location under standard temperature conditions and approach and land; and

(ii) an additional amount of fuel to provide for the increased consumption on the occurrence of potential contingencies;

(b) when an alternate is required, in terms regulation 128 (2) (a), to fly to and execute an approach, and a missed approach, at the heliport or landing location to which the flight is planned, and thereafter—

(i) fly to and execute an approach at the alternate specified in the flight plan; and then;

(ii) have a final reserve fuel to fly for 30 minutes at holding speed at 450 m (1 500 ft) above the alternate under

standard temperature conditions, and approach and land; and

(iii) have an additional amount of fuel to provide for the increased consumption on the occurrence of potential contingencies.

(c) when no alternate heliport or landing location is available (that is, the heliport of intended landing is isolated and no alternate is available), to fly to the heliport to which the flight is planned and thereafter for a period as specified by the Authority.

(4) In computing the fuel and oil required in subregulation (1), at least the following shall be considered—

(a) meteorological conditions forecast;

(b) expected air traffic control routings and traffic delays;

(c) for IFR flight, one instrument approach at the destination heliport, including a missed approach;

(d) the procedures for the loss of pressurization, where applicable, or failure of one engine while en-route; and

(e) any other condition that may delay the landing of the helicopter or increase fuel or oil consumption.

(5) The use of fuel after flight commencement for purposes other than originally intended during pre-flight planning shall require a re-analysis and, if applicable, adjustment of the planned operation.

In flight fuel management.

131. (1) The pilot-in-command shall monitor the amount of usable fuel remaining on board to ensure it is not less than the fuel required to proceed to a landing site where a safe landing can be made with the planned final reserve fuel remaining.

(2) The pilot-in-command shall advise ATC of a minimum fuel state by declaring MINIMUM FUEL when, having committed to land at a specific landing site, the pilot calculates that any change to the existing clearance to that landing site, or other air traffic delays, may result in landing with less than the planned final reserve fuel.

(3) The pilot-in-command shall declare a situation of fuel emergency by broadcasting MAYDAY MAYDAY MAYDAY FUEL, when the usable fuel estimated to be available upon landing at the nearest landing site where a safe landing can be made is less than the required final reserve fuel in compliance with regulation 130.

Oxygen supply.

132. (1) Approximate altitudes in the Standard Atmosphere corresponding to the values of absolute pressure used in the text are as follows—

Absolute pressure	Metres	Feet
700 hPa	3 000	10 000
620 hPa	4 000	13 000

(2) A flight to be operated at altitudes at which the atmospheric pressure in personnel compartments will be less than 700 hPa shall not be commenced unless sufficient stored breathing oxygen is carried to supply—

(a) all crew members and 10 per cent of the passengers for any period in excess of 30 minutes that the pressure in compartments occupied by them is between 700 hPa and 620 hPa; and

(b) the crew and passengers for any period that the atmospheric pressure in compartments occupied by them is less than 620 hPa.

(3) A flight to be operated with a pressurized helicopter shall not be commenced unless a sufficient quantity of stored breathing oxygen is carried to supply all the crew members and a proportion of the passengers, as is appropriate to the circumstances of the flight being undertaken, in the event of loss of pressurization, for any period that the atmospheric pressure in any compartment occupied by them would be less than 700 hPa.

Use of Oxygen.

133. All flight crew members, when engaged in performing duties essential to the safe operation of a helicopter in flight, shall use breathing oxygen continuously whenever the circumstances prevail for which its supply has been required in regulation132.

In -Flight emergency instruction.

134. In an emergency during flight, the pilot-in-command shall ensure that all persons on board are instructed in such emergency action as may be appropriate to the circumstances.

Weather reporting by pilots.

135. When weather conditions likely to affect the safety of other aircraft are encountered, they should be reported as soon as possible.

Hazardous flight conditions.

136. Hazardous flight conditions, other than those associated with meteorological conditions, encountered en route should be reported as soon as possible and the reports so rendered should give such details as may be pertinent to the safety of other aircraft.

Fitness of flight crew members.

137. The pilot-in-command shall be responsible for ensuring that a flight—

(a) is not commenced if any flight crew member is incapacitated from performing duties by any cause such as injury, sickness, fatigue, the effects of alcohol or drugs; and

(b) is not continued beyond the nearest suitable heliport when flight crew members' capacity to perform functions is significantly reduced by impairment of faculties from causes such as fatigue, sickness or lack of oxygen.

Flight crew members at duty stations.

138.(1) All flight crew members required to be on flight deck duty shall be at their stations during take-off and landing.

(2) All flight crew members required to be on flight deck duty shall remain at their stations during en-route phase of flight except when their absence is necessary for the performance of duties in connection with the operation of the helicopter, or for physiological needs.

(3) All flight crew members shall keep their seat belt fastened when at their stations.

(4) When safety harnesses are provided, any flight crew member occupying a pilot's seat or all other flight crew members shall keep their safety harness fastened during the take-off and landing phases, unless the shoulder straps interfere with the performance of their duties, in which case the shoulder straps may be unfastened but the seat belt shall remain fastened.

Instrument Flight Procedures.

139.(1) One or more instrument approach procedures designed to support instrument approach operations shall be approved and promulgated by the State in which the heliport is located, or by the State which is responsible for the heliport when located outside the territory of any State, to serve each final approach and take-off area or heliport utilized for instrument flight operations.

(2) All helicopters operated in accordance with IFR shall comply with the instrument approach procedures approved by the State in which the heliport is located, or by the State which is responsible for the heliport when located outside the territory of any State.

Instructions-General.

140.A helicopter rotor shall not be turned under power for the purpose of flight without a qualified pilot at the controls.

Refuelling with passengers on board or rotors turning.

141.(1) A helicopter should not be refuelled when passengers are embarking, on board or disembarking or when the rotor is turning unless it is attended by the pilot-in-command or other qualified personnel ready to initiate and direct an evacuation of the helicopter by the most practical and expeditious means available.

(2) When refuelling with passengers embarking, on board or disembarking, two- way communications shall be maintained by helicopter inter-communications system or other suitable means between the ground crew supervising the refuelling and the pilot-in-command or other qualified personnel required by subregulation (1).

Over- water flights.

142. All helicopters on flights over water in a hostile environment in accordance with the Civil Aviation (Instruments and Equipment) Regulations, Part VII – means of floatation shall be certificated for ditching and sea state shall be an integral part of ditching information.

Helicopter Performance

Operating limitations.

143. (1) A helicopter shall be operated—

(a) in compliance with the terms of its airworthiness certificate or equivalent approved document;

(b) within the operating limitations prescribed by the Authority; and

(c) within the mass limitations imposed by compliance with the applicable noise certification standards in the Civil Aviation (Airworthiness) Regulations, unless otherwise authorized, in exceptional circumstances for a certain heliport where there is no noise disturbance problem, by the competent authority of the State in which the heliport is situated.

(2) Placards, listings, instrument markings or combinations thereof, containing those operating limitations prescribed by the Authority for visual presentation, shall be displayed in the helicopter.

(3) Where helicopters are operating to or from heliports in a congested hostile environment, the operator shall take such precautions as are necessary to control the risk associated with an engine failure as per the competent authority of the State in which the heliport is situated.

Helicopter Maintenance

Maintenance responsibilities.

144. (1) The owner of a helicopter, or in the case where it is leased, the lessee, shall ensure that—

(a) the helicopter is maintained in an airworthy condition;

(b) the operational and emergency equipment necessary for the intended flight is serviceable;

(c) the certificate of airworthiness of the helicopter remains valid; and

(d) the maintenance of the helicopter is performed in accordance with a maintenance programme acceptable to the Authority.

(2) The helicopter shall not be operated unless maintenance on the helicopter, including any associated engine, rotor and part, is carried out—

(a) by an organization complying with the Civil Aviation (Approved Maintenance Organisation) Regulations that is either approved by the Authority of the helicopter or is approved by another Contracting State and is accepted by the Authority;

(b) by a person or organization in accordance with procedures that are authorized by the State of Registry; and

(c) there is a maintenance release in relation to the maintenance carried out.

(3) When the maintenance release to service is not issued by an organization approved in accordance with the Civil Aviation (Airworthiness) Regulations the person signing the maintenance release to service shall be licensed in accordance with the Civil Aviation (Personnel Licensing) Regulations.

Maintenance records.

145. (1) The owner shall ensure that the following records are kept for the periods mentioned in subregulation (2) below—

(a) the total time in service hours, calendar time and cycles, as appropriate of the helicopter and all life-limited components;

(b) the current status of compliance with all mandatory continuing airworthiness information;

(c) appropriate details of modifications and repairs to the helicopter;

(d) the time in service (hours, calendar time and cycles, as appropriate) since last overhaul of the helicopter or its components subject to a mandatory overhaul life;

(e) the current status of the helicopter's compliance with the maintenance programme; and

(f) the detailed maintenance records to show that all requirements for signing of a maintenance release have been met.

(2) The records in subregulation (1) (a) to (e) above shall be kept for a minimum period of 90 days after the unit to which they refer has been permanently withdrawn from service, and the records in subregulation (1) (f) above for a minimum period of one year after the signing of the maintenance release.

(3) The lessee of a helicopter shall comply with the requirements of subregulation (1) and (2) above, as applicable, while the helicopter is leased.

(4) Records kept and transferred in accordance with this Regulation shall be maintained in a form and format that ensures readability, security and integrity of the records at all times.

(5) The form and format of the records may include, for example, paper records, film records, electronic records or any combination thereof.

Continuing airworthiness information.

146. The owner of a helicopter over 3 175 kg maximum certificated take-off mass, or in the case where it is leased, the lessee, shall, as required by the Authority, ensure that the information resulting from maintenance and operational experience with respect to continuing airworthiness is transmitted as required by the Civil Aviation (Airworthiness) Regulations.

Modification and Repairs.

147. All modifications and repairs shall comply with airworthiness requirements acceptable to the Authority and the procedures shall be established to ensure that the substantiating data supporting compliance with the airworthiness requirements are retained.

Maintenance release.

148. (1) When maintenance is carried out by an approved maintenance organization, the maintenance release shall be issued by the approved maintenance organization in accordance with the provisions of the civil aviation (Approved Maintenance Organisation) Regulations.

(2) When maintenance is not carried out by an approved maintenance organization, the maintenance release shall be completed and signed by a person appropriately licensed in accordance with the civil aviation (Personnel Licensing) Regulations to certify that the maintenance work performed has been completed satisfactorily and in accordance with approved data and the procedures acceptable to the Authority.

(3) When maintenance is not carried out by an approved maintenance organization, the maintenance release shall include the following—

(a) basic details of the maintenance carried out including detailed reference of the approved data used;

(b) the date such maintenance was completed; and

(c) the identity of the person or persons signing the release.

Helicopter Flight Crew

Qualifications.

149. The pilot-in-command shall ensure that the licences of each flight crew member have been issued or rendered valid by the Authority, and are properly rated and of current validity, and shall be satisfied that flight crew members have maintained competence.

Composition of flight crew.

150. The number and composition of the flight crew shall not be less than that specified in the flight manual or other documents associated with the certificate of airworthiness.

Procedures for Helicopter Communication,

Navigation and Surveillance Equipment

Communication equipment.

151. (1) The Operator shall establish criteria for operations where RCP specification for PBC has been prescribed.

(2) In establishing criteria for operations where RCP specification for PBC has been prescribed by the Authority, the operator or owner shall ensure—

(a) normal and abnormal procedures, including contingency procedures;

(b) flight crew qualification and proficiency requirements, in accordance with appropriate RCP specifications;

(c) a training programme for relevant personnel consistent with the intended operations; and

(d) appropriate maintenance procedures to ensure continued airworthiness, in accordance with appropriate RCP specifications.

(3) The Operator shall ensure that, in respect of those helicopters mentioned in subregulation (8), adequate provisions exist for—

(a) submitting the reports of observed communication performance issued by monitoring programmes established in accordance with the applicable Civil Aviation (Air Traffic Services) Regulations; and

(b) taking immediate corrective action for individual helicopters, helicopter types or operators, identified in such reports as not complying with the RCP specifications.

Navigation equipment

152. (1) The operator shall establish criteria for operations where a navigation specification for PBN has been prescribed by the Authority.

(2) In establishing criteria for operations where a navigation specification for PBN has been prescribed by the Authority, the operator or owner shall establish—

(a) normal and abnormal procedures, including contingency procedures;

(b) flight crew qualification and proficiency requirements, in accordance with the appropriate navigation specifications;

(c) a training programme for relevant personnel consistent with the intended operations; and

(d) appropriate maintenance procedures to ensure continued airworthiness, in accordance with appropriate navigation specifications.

(3) An Operator shall not conduct PBN authorization required (AR) navigation specifications operations without a specific approval issued by the Authority.

Surveillance equipment.

153. (1) The operator shall establish criteria for operations where an RSP specification for PBS has been prescribed by the Authority.

(2) When establishing criteria for operations where an RSP specification for PBS has been prescribed, the Authority shall require that the operator/owner establish—

(a) normal and abnormal procedures, including contingency procedures;

(b) flight crew qualification and proficiency requirements, in accordance with appropriate RSP specifications;

(c) a training programme for relevant personnel consistent with the intended operations; and

(d) appropriate maintenance procedures to ensure continued airworthiness, in accordance with appropriate RSP specifications.

(3) The Operator shall ensure that, for those helicopters where surveillance equipment is required to meet an RSP specification for performance-based Surveillance (PBS), adequate provisions exists as prescribed by the Authority for—

(a) submitting the reports of observed surveillance performance issued by monitoring programmes established in accordance with the applicable Civil Aviation (Air Traffic Services) Regulations; and

(b) taking immediate corrective action for individual helicopter, helicopter types or operators, identified in such reports as not complying with the RSP specifications.

PART XIII—EXEMPTIONS, GENERAL PROVISIONS, OFFENCES AND PENALTIES

Exemptions

Applicability.

154. Regulations contained in this Part shall be applicable to all helicopters engaged in commercial air transport operations or in general aviation operations.

Requirement for application.

155. (1) A person may apply to the Authority for an exemption from any of these Regulations.

(2) An application for exemption shall be submitted at least sixty days in advance of the proposed effective date.

(3) A request for an exemption shall contain—

(a) the applicant's name;

(b) physical address and mailing address;

(c) telephone number;

(d) fax number if available; and

(e) email address if available.

(4) The application shall be accompanied by a fee specified by the Authority, for technical evaluation.

Request for exemption-Review, Publication and Issue or Denial of the Exemption.

156. . (1) An application for an exemption shall contain the following—

(a) a citation of the specific requirement from which the applicant seeks exemption;

(b) an explanation of why the exemption is needed;

(c) a description of the type of operations to be conducted under the proposed exemption;

(d) the proposed duration of the exemption;

(e) an explanation of how the exemption would be in the public interest, that is, benefit the public as a whole;

(f) a detailed description of the alternative means by which the applicant will ensure a level of safety equivalent to that established by the regulation in question;

(g) a review and discussion of any known safety concerns with the requirement, including information about any relevant accidents or incidents of which the applicant is aware; and

(h) if the applicant seeks to operate under the proposed exemption outside of the Kenyan airspace, the application shall indicate whether the exemption would contravene any provision of the Standards and Recommended Practices of the International Civil Aviation Organization (ICAO) as well as the Regulations pertaining to the airspace in which the operation shall occur.

(2) Where the applicant seeks emergency processing, the application shall contain supporting facts and reasons why the application was not filed in time, and the reasons it is an emergency.

(3) The Authority may deny an application if the Authority finds that the applicant has not justified the failure to apply for an exemption in a timely fashion.

Initial review by the Authority.

157. (1) The Authority shall review the application for accuracy and compliance with the requirements of Regulations78 and 79.

(2) If the application appears on its face to satisfy the provisions of this regulation and the Authority determines that a review of its merits is justified, the Authority will publish a detailed summary of the application in the Kenya Gazette, aeronautical information circular or at least one local daily newspaper with a wider circulation for comment and specify the date by which comments shall be received by the Authority for consideration.

(3) Where the filing requirements of Regulations 78 and 79 have not been met, the Authority will notify the applicant and take no further action until and unless the applicant corrects the application and re-files it in accordance with these Regulations.

(4) If the request is for emergency relief, the Authority shall publish the application or the Authority's decision as soon as possible after processing the application.

Evaluation of the request.

158. (1) After initial review, if the filing requirements have been satisfied, the Authority shall conduct an evaluation of the request to include—

(a) determination of whether an exemption would be in the public interest;

(b) a determination, after a technical evaluation of whether the applicant's proposal would provide a level of safety equivalent to that established by the regulation, although where the Authority decides that a technical evaluation of the request would impose a significant burden on the Authority's technical resources, the Authority may deny the exemption on that basis;

(c) a determination of whether a grant of the exemption would contravene the applicable ICAO Standards and Recommended Practices; and

(d) a recommendation based on the preceding elements, of whether the request should be granted or denied, and of any conditions or limitations that should be part of the exemption.

(2) The Authority shall notify the applicant by letter and publish a detailed summary of its evaluation and decision to grant or deny the request.

(3) The summary referred to in subregulation (2) shall specify the duration of the exemption and any conditions or limitations of the exemption.

(4) If the exemption affects a significant population of the aviation community of Kenya, the Authority shall publish the summary in the Aeronautical Information Circular.

General Provisions

Possession of the licence.

159. (1) A holder of a licence, certificate or authorisation or other document issued by the Authority, shall have it in his or her physical possession or at the work site when exercising the privileges of that licence, certificate, authorisation or such other document.

(2) A flight crew of a foreign registered aircraft shall hold a valid licence, certificate or authorisation and have it in his or her physical possession or at the work site when exercising the privileges of that licence, certificate or authorisation.

Drug and alcohol testing and reporting.

160. (1) Any person who performs any function related to operation of aircraft under these Regulations may be tested for drug or alcohol usage.

(2) The Authority may prohibit any person from carrying out the functions related to operation of aircraft, who—

(a) tests positive for drug or alcohol usage;

(b) refuses to submit to a test; or

(c) refuses to furnish or to authorise the release of the test results requested by the Authority.

Inspection of licences and certificates.

161. A person who holds a licence, certificate, authorisation or such other document required by these Regulations shall present it for inspection upon a request from the Authority or any person authorized by the Authority.

Change of name.

162. (1) A holder of a licence, certificate, authorisation or other document issued under by the Authority may apply to change the name on a licence, certificate, authorisation or such other document.

(2) The holder shall include with any such request—

(a) a court order, or other legal document verifying the name change; and

(b) the current licence, certificate, authorisation or such other document sought to be amended.

(3) The Authority may change the licence, certificate, authorisation or such other document and issue a replacement thereof.

(4) The Authority shall return to the holder the original documents specified in subregulation (2)(b) and retain copies thereof

and return the replaced licence, certificate or authorisation with the appropriate endorsement.

(5) A licence, certificate, authorisation or such other document issued to a person under these Regulations is not transferable.

Change of address.

163. (1) A holder of a certificate or authorisation issued under these Regulations shall notify the Authority of the change in the physical and mailing address and shall do so in the case of—

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

(b) mailing address, upon the change.

(2) A person who does not notify the Authority of the change in the physical address within the time frame specified in subregulation (1) shall not exercise the privileges of the certificate or authorisation.

Replacement of documents.

164. A person may apply to the Authority for replacement of documents issued under these Regulations if the documents are lost or destroyed.

Certificate suspension and revocation.

165. (1) The Authority may, where it considers it to be in the public interest, suspend provisionally, pending further investigation, any certificate, approval, permission, exemption, authorisation or such other document issued, granted or having effect under these Regulations.

(2) The Authority may, upon the completion of an investigation which has shown sufficient ground to its satisfaction and where it considers it to be in the public interest, revoke, suspend, or vary any certificate, approval, permission, exemption or such other document issued or granted under these Regulations.

(3) The Authority may, where it considers it to be in the public interest, prevent any person or aircraft from flying.

(4) A holder or any person having the possession or custody of any certificate, approval, permission, exemption or such other documents which has been revoked, suspended or varied under these Regulations shall surrender it to the Authority within 14 days from the date of revocation, suspension or variation.

(5) The breach of any condition subject to which any certificate, approval, permission, exemption or any other document has been granted or issued under these Regulations shall render the document invalid during the continuance of the breach.

Use and retention of certificates and records.

166. (1) A person shall not—

(a) use any certificate, approval, permission, exemption or such other document issued or required by or under these Regulations which has been forged, altered, revoked or suspended, or to which he is not entitled;

(b) forge or alter any certificate, approval, permission, exemption or such other document issued or required by or under these Regulations;

(c) lend any certificate, approval, permission, exemption or such other document issued or required by or under these Regulations to any other person; or

(d) make any false representation for the purpose of procuring for himself or any other person the issue renewal or variation of any such certificate, approval, permission or exemption or such other document.

(2) During the period for which it is required under these Regulations to be preserved, 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 wilfully omit to make a material entry in such record.

(3) All records required to be maintained by or under these Regulations shall be recorded in a permanent and indelible material.

(4) A person shall not purport to issue any certificate, document or exemption under these Regulations unless he is authorised to do so by the Authority.

(5) A person shall not issue any certificate of the kind referred to in sub- regulation (4) unless he has satisfied himself that all statements in the certificate are correct, and that the applicant is qualified to hold that certificate.

Reports of violations.

167. (1) Any person who knows of a violation of the Act, any amendment thereto, or any rule, regulation, or order issued thereunder, shall report it to the Authority.

(2) The Authority shall determine the nature and type of any additional investigation or enforcement action that need be taken.

Enforcement.

168. (1) The Authority shall take enforcement action on any regulated entity that fails to comply with the provisions of these Regulations.

(2) Inspectors of the Authority holding valid delegations shall take necessary action to preserve safety where an undesirable condition has been detected.

(3) The action(s) referred to in subregulation (2) may include—

(a) in the case of a regulated entity, imposition of operating restrictions until such a time that the existing undesirable condition has been resolved; and

(b) in the case of a licensed personnel, require that the individual does not exercise the privileges of the license until such a time that the undesirable condition has been resolved.

(4) In carrying out the enforcement actions pursuant to the provisions of sub- regulation (2), the inspectors of the Authority shall invoke the powers with due care and act in good faith in the interest of preserving safety.

Aeronautical user fees.

169. (1) The Authority shall prescribe the fees to be charged in connection with the issue, validation, renewal, extension or variation of any certificate, licence or such other document, including the issue of a copy thereof, or the undergoing of any examination, test, inspection or investigation or the grant of any permission or approval, required by, or for the purpose of these Regulations any orders, notices or proclamations made thereunder.

(2) Upon an application being made in connection with which any fee is chargeable in accordance with the provisions of subregulation (1), the applicant shall be required, before the application is entertained, to pay the prescribed fees.

(3) If, after that payment has been made, the application is withdrawn by the applicant or otherwise ceases to have effect or is refused, the Authority, shall not refund any payment made.

Application of regulations to Government and visiting forces, etc.

170. (1) These Regulations shall apply to aircraft, not being a military aircraft belonging to or exclusively employed in the service of the Government, and for the purposes of such application, the department or other authority for the time being responsible for management of the aircraft shall be deemed to be the operator of the aircraft, and in the case of an aircraft belonging to the Government, to be the owner of the interest of the Government in the aircraft.

(2) Except as otherwise expressly provided, the naval, military and air force authorities and member of any visiting force and property held or used for the purpose of such a force shall be exempt from the provision of these Regulations to the same extent as if the visiting force formed part of the military force of Kenya.

Extra-territorial application of Regulations.

171. Except where the context otherwise requires, the provisions of these Regulations shall—

(a) in so far as they apply, whether by express reference or otherwise, to aircraft registered in Kenya, apply to such aircraft wherever they may be;

(b) in so far as they apply, whether by express reference or otherwise, to other aircraft, apply to such aircraft when they are within Kenya;

(c) in so far as they prohibit, require or regulate, whether by express reference or otherwise, the doing of anything by any person in, or by any of the crew of, any aircraft registered in Kenya, shall apply to such persons and crew, wherever they may be; and

(d) in so far as they prohibit, require or regulate, whether by express reference or otherwise, the doing of anything in relation to any aircraft registered in Kenya by other persons shall, where such persons are citizens of Kenya, apply to them wherever they may be.

Flights over any foreign country.

172. (1) The operator or pilot-in-command of an aircraft registered in Kenya (or, if the operator's principal place of business or permanent residence is in Kenya, any other aircraft) which is being

flown over any foreign State shall not allow that aircraft to be used for a purpose which is prejudicial to the security, public order or public health of, or to the safety of air navigation in relation to that State.

(2) A person does not contravene subregulation (1) if that person neither knew nor had reasons to suspect that the aircraft was being or was to be used for a purpose referred to in subregulation (1).

(3) The operator or pilot in command of an aircraft registered in Kenya (or, if the operator's principal place of business or permanent residence is in Kenya, any other aircraft) which is being flown over any foreign State shall comply with any directions given by the appropriate aeronautical authorities of that State whenever—

(a) the flight has not been duly authorised;

(b) there are reasonable grounds for the appropriate aeronautical authorities to believe that the aircraft is being or shall be used for a purpose which is prejudicial to the security, public order or public health of, or to the safety of air navigation in relation to that State unless the lives of persons on board or the safety of the aircraft would thereby be endangered.

(4) A person does not contravene subregulation (3) if he neither knew nor suspected that the directions were being given by the appropriate aeronautical authorities.

(5) The requirement in subregulation (3) shall not prejudice the need to comply with other requirements or directions of aeronautical authority.

(6) In this regulation "appropriate aeronautical authorities" includes any person, whether a member of a country's military or civil authorities, authorised under the law of the foreign State to issue directions to aircraft flying over that State.

Contravention of Regulations.

173.The Authority may suspend or revoke the licence, certificate, approval, authorisation, exemption or other document of a person who contravenes any provision of these Regulations.

Appeals to the Tribunal.

174.A person who is aggrieved with the decision of the Authority under these Regulations may, within twenty-one days, appeal to the Tribunal.

Offences and penalties.

175.(1) A person who contravenes any provision specified as an "A" provision in the Fourth 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.

(2) A person who contravenes any provision specified as a "B" provision in the Fourth 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.

(3) A person who contravenes any provision of these Regulations not being a provision referred to in the Fourth Schedule to these Regulations commits an offence and is liable on conviction to a fine not

exceeding two million shillings, and in the case of a second or subsequent conviction for the like offence to a fine not exceeding four million shillings.

Revocation of L.N 97/2018.

176. The Civil Aviation (Operation of Aircraft- Helicopter) Regulations, 2018 are revoked.

Transitional.

177. A license, 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.

FIRST SCHEDULE

(rr. 10(6),62(1),103)

FLIGHT TIME, FLIGHT DUTY PERIOD AND DUTY PERIOD LIMITATIONS

PURPOSE AND SCOPE

1.1 Flight time and flight duty period limitations are established for the sole purpose of reducing the probability that fatigue of flight crew members may adversely affect the safety of flight.

1.2 In order to guard against this, two types of fatigue must be taken into account, namely, transient fatigue and cumulative fatigue. Transient fatigue may be described as fatigue which is normally experienced by a healthy individual following a period of work, exertion or excitement, and it is normally dispelled by a single sufficient period of sleep. On the other hand cumulative fatigue may occur after delayed or incomplete recovery from transient fatigue or as the after-effect of more than a normal amount of work, exertion or excitement without sufficient opportunity for recuperation.

1.3 Limitations based on the provisions of these Regulations will provide safeguards against both kinds of fatigue because they will recognize:

1.3.1 The necessity to limit flight time in such a way as to guard against both kinds of fatigue.

1.3.2 The necessity to limit time spent on duty on the ground immediately prior to a flight or at intermediate points during a series of flights in such a way as to guard particularly against transient fatigue.

1.3.3 The necessity to provide flight crew members with adequate opportunity to recover from fatigue.

1.3.4 The necessity of taking into account other related tasks the flight crew member may be required to perform in order to guard particularly against cumulative fatigue.

2. DEFINITIONS

"Deadheading crew" means a crew member positioned by the operator in flight or by surface transport;

"Duty period" means the time during which a flight crew member carries out any duty at the behest of the flight crew member's employer;

"Flight duty period" means the total time from the moment a flight crew member commences duty, immediately subsequent to a rest period and prior to making a flight or a series of flights, to the moment the flight crew member is relieved of all duties having completed such flight or series of flights;

"Flight sector" means a flight or one of a series of flights which commences at a parking place of the aircraft and terminates at a parking place of the aircraft. It is composed of:

— flight preparation,

— flight time,

— post-flight period after the flight sector or series of flight sectors;

"Flight time — helicopters" means the total time from the moment a helicopter's rotor blades start turning until the moment the helicopter finally comes to rest at the end of the flight, and the rotor blades are stopped;

"Rest period" means any period of time on the ground during which a flight crew member is relieved of all duties by the operator;

"Series of flights" means two or more flight sectors accomplished in between two rest periods;

"Standby" means a defined period during which a crew member may be called for duty with minimum notice; and

"Turnaround time"means the time spent on the ground during a flight duty period between two flight sectors.

DUTY AND REST PERIODS – ALL CREW MEMBERS AND FLIGHT OPERATIONS OFFICERS:

3.0 WITH RESPECT TO DUTY PERIODS.

3.1 Persons are considered to be on duty if they are performing any tasks on behalf of the operator, whether scheduled, requested or self-initiated.

3.2 If an operator requires a flight crew member to engage in deadhead transportation for more than 4 hours, one half of that time shall be treated as duty time, unless they are given 10 hours of rest on the ground before being assigned to flight duty.

An operator shall not schedule:

3.3 A flight crew member for more than 14 hours of duty, except as prescribed by the Authority.

3.4 A cabin crew member for more than 14 consecutive hours of duty, except as prescribed by the Authority.

3.5 A flight operations officer/aircraft dispatcher for more than 10 consecutive hours of duty within a 24 consecutive hour period, unless that person is given an intervening rest period of at least 8 hours at or before the end of the 10 hours duty, except in cases where circumstances or emergency conditions beyond the control of the operator require otherwise.

3.6 Each operator shall establish the daily duty period for a flight operations officer/aircraft dispatcher so that it begins at a time that allows him or her to become thoroughly familiar with existing and anticipated weather conditions along the route before he or she dispatches any aircraft.

3.7 He or she shall remain on duty until each aircraft dispatched by him or her has completed its flight or has gone beyond his or her jurisdiction or until he or she is relieved by another qualified dispatcher.

4.0 WITH RESPECT TO REST PERIODS.

4.1 The minimum rest period is considered to be 8 consecutive hours.

4.2 The minimum rest period for flight crew members shall be 9 consecutive hours, unless otherwise prescribed by the Authority.

4.3 The operator may exercise the option to reduce a crew member's rest period within the limitations prescribed under item 3.0.

4.4 The operator shall relieve the flight crew member, flight operations officer/flight dispatcher, or cabin crew member from all duties for 24 consecutive hours during any 7 consecutive day period.

4.5 Time spent in transportation, not local in character, which is required by the operator to position crew members to or from flights is not considered part of a rest period.

4.6 Time spent in transportation on aircraft (at the insistence of the operator) to or from a crew member's home station is not considered part of a rest period.

An operator shall not assign, nor may any person shall:

4.7 Perform duties in commercial air transportation unless that person has had at least the minimum rest period applicable to those duties as prescribed by the Authority; or

4.8 Accept an assignment to any duty with the operator during any required rest period.

5.0 DUTY ALOFT – FLIGHT CREW

5.1 The Authority will consider all time spent on an aircraft as an assigned flight crew member or relief flight crew member, whether resting or performing tasks, to be duty aloft.

5.2 The Authority will consider a flight crew member to be on continuous duty aloft unless the flight crew member receives a rest period of 8 consecutive hours on the ground.

5.3 Each operator shall provide adequate sleeping quarters, including a berth on the aircraft whenever a flight crew member is scheduled to be aloft for more than 12 hours during any 24 consecutive hours.

6.0 MAXIMUM NUMBER OF FLIGHT TIME HOURS – FLIGHT CREW

6.1 A person shall not schedule any flight crew member and no flight crew member shall accept an assignment for flight time in commercial air transportation, if that flight crew member's total flight time will exceed 8 hours in any 24 consecutive hours.

6.2 A person shall not schedule any flight crew member and no flight crew member shall accept an assignment as a required crew member for more than 7 flights in

commercial air transportation during any period of 18 consecutive hours, whichever comes first.

6.3 A person shall not schedule any flight crew member and no flight crew member shall accept an assignment for flight time in commercial air transportation, if that flight crew member's total flight time will exceed 30 hours in any 7-day period.

6.4 A person shall not schedule any flight crew member and no flight crew member shall accept an assignment for flight time in commercial air transportation, if that flight crew member's total flight time will exceed 100 hours in any 30-day period.

6.5 A person shall not schedule any flight crew member and no flight crew member shall accept an assignment for flight time in commercial air transportation, if that flight crew member's total flight time, total flights or duty aloft in commercial flying will exceed the limitations prescribed by the Authority.

6.6 A person shall not schedule any flight crew member and no flight crew member shall accept an assignment for flight time in commercial air transportation, if that flight crew member's total flight time will exceed 1000 hours in any 12- calendar month period.

7.0 COMPLIANCE WITH SCHEDULING REQUIREMENTS

7.1 The Authority will consider a person in compliance with prescribed standards if that person exceeds flight/duty limitations when:

7.2 The flight is scheduled and normally terminates within the prescribed limitations; but

Due to circumstances beyond the control of the operator (such as adverse weather conditions) are not expected at the time of departure to reach the destination within the scheduled time.

7.3 The Authority will consider a person in compliance with prescribed duty limitations, if that person exceeds applicable limitations during emergency or adverse situations beyond the control of the operator.

8.0 SPECIAL FLIGHT DUTY SCHEMES

8.1 The Authority may approve a special flight duty scheme for an operator.

8.2 An operator may elect to apply the flight crew member flight duty and rest requirements to the cabin crew members.

9.0 FLIGHT TIME, DUTY, AND REST PERIOD RECORDS

9.1 Each operator shall maintain records for each crew member and flight operations officer/flight dispatcher of flight time, flight duty periods, duty periods, and rest periods for a period of 24 months.

SECOND SCHEDULE

(rr. 10(7) &(8)110(2),116(2))

INSTRUCTOR AND CHECK PERSONNEL TRAINING

1. PURPOSE AND SCOPE

The purpose of this schedule is to give additional guidance on instructor and check personnel in operational requirements described in sub-part XIII.

2. INSTRUCTOR TRAINING

2.0 FLIGHT CREW INSTRUCTOR TRAINING.

1) No operator may use a person, nor may any person serve as flight instructor in a training programme unless:

   (a) that person has satisfactorily completed initial or transition flight instructor training; and

   (b) within the preceding 24 calendar months, that person satisfactorily conducts instruction under the observation of an inspector from the Authority or an Operator's check personnel.

2) An Operator may accomplish the observation check for a flight instructor, in part or in full, in an aircraft or a flight simulation training device.

3) Each Operator shall ensure that initial ground training for flight instructors includes the following:

   (a) flight instructor duties, functions, and responsibilities;

   (b) applicable regulations and the Operator's policies and procedures;

   (c) appropriate methods, procedures, and techniques for conducting the required checks;

   (d) proper evaluation of student performance including the detection of:

      i. improper and insufficient training; and

      ii. personal characteristics of an applicant that could adversely affect safety.

      iii. appropriate corrective action in the case of unsatisfactory checks.

      iv. approved methods, procedures, and limitations for performing the required normal, abnormal, and

      v. emergency procedures in the aircraft.

   (e) Except for holders of existing flight instructor licences:

      (i) the fundamental principles of the teaching-learning process;

      (ii) teaching methods and procedures; and

      (iii) the instructor-student relationship.

4) Each Operator shall ensure that the transition ground training for flight instructors includes the approved methods, procedures, and limitations for performing the

required normal, abnormal, and emergency procedures applicable to the aircraft to which the flight instructor is in transition.

5) Each Operator shall ensure that the initial and transition flight training for flight instructors includes the following:

(a) the safety measures for emergency situations that are likely to develop during instruction;

(b) the potential results of improper, untimely, or non-execution of safety measures during instruction;

(c) for pilot flight instructor (aircraft):

(i) in-flight training and practice in conducting flight instruction from the left and right pilot seats in the required normal, abnormal, and emergency procedures to ensure competence as an instructor; and

(ii) the safety measures to be taken from either pilot seat for emergency situations that are likely to develop during instruction.

6) For flight engineer instructors and flight navigator instructors, in-flight training to ensure competence to perform assigned duties.

7) An Operator may accomplish the flight training requirements for flight instructors in full or in part in-flight or in a flight simulation training device, as appropriate.

8) An Operator shall ensure that the initial and transition flight training for flight instructors (flight simulation training device) includes the following:

(a) training and practice in the required normal, abnormal, and emergency procedures to ensure competence to conduct the flight instruction required by this part. This training and practice shall be accomplished in full or in part in a flight simulation training device;

(b) training in the operation of flight simulation training devices, to ensure competence to conduct the flight instruction required by this part.

3. CABIN CREW INSTRUCTOR TRAINING.

1) No operator may use a person, nor may any person serve as cabin instructor in a training programme unless:

(a) that person has satisfactorily completed initial or transition cabin instructor training; and

(b) within the preceding 24 calendar months, that person satisfactorily conducts instruction under the observation of an inspector from the Authority or an Operator's check personnel.

2) An Operator may accomplish the observation check for a cabin instructor, in part or in full, in an aircraft or a cabin simulation training device.

3) Each Operator shall ensure that initial ground training for cabin instructors includes the following:

(a) cabin instructor duties, functions, and responsibilities;

(b) applicable regulations and the Operator's policies and procedures;

(c) appropriate methods, procedures, and techniques for conducting the required checks;

(d) proper evaluation of student performance including the detection of:

(i) improper and insufficient training; and

(ii) personal characteristics of an applicant that could adversely affect safety.

(e) appropriate corrective action in the case of unsatisfactory checks.

(f) approved methods, procedures, and limitations for performing the required normal, abnormal, and emergency procedures in the aircraft, as applicable.

(g) except for existing cabin instructors:

(i) the fundamental principles of the teaching-learning process;

(ii) teaching methods and procedures; and

(iii) the instructor-student relationship.

4) Each Operator shall ensure that the transition ground training for cabin instructors includes the approved methods, procedures, and limitations for performing the required normal, abnormal, and emergency procedures applicable to the aircraft, as appropriate to which the cabin instructor is in transition.

5) Each Operator shall ensure that the initial and transition flight training for cabin instructors includes the following:

(a) safety measures for emergency situations that are likely to develop during instruction.

(b) the potential results of improper, untimely, or non-execution of safety measures during instruction.

FLIGHT OPERATIONS OFFICER INSTRUCTOR TRAINING.

1) No operator may use a person, nor may any person serve as flight operations officer instructor in a training programme unless:

(a) that person has satisfactorily completed initial or transition flight operations officer instructor training; and

(b) within the preceding 24 calendar months, that person satisfactorily conducts instruction under the observation of an inspector from the Authority or an Operator's check flight operations officer.

2) An Operator may accomplish the observation check for a flight operations officer instructor, in part or in full, in a flight operations centre.

3) Each Operator shall ensure that initial ground training for flight operations officer instructors includes the following:

(a) flight operations officer instructor duties, functions, and responsibilities;

(b) applicable regulations and the Operator's policies and procedures;

(c) appropriate methods, procedures, and techniques for conducting the required checks;

(d) proper evaluation of student performance including the detection of:

(i) improper and insufficient training; and

(ii) personal characteristics of an applicant that could adversely affect safety;

(e) appropriate corrective action in the case of unsatisfactory checks;

(f) approved methods, procedures, and limitations for performing the required normal, abnormal, and emergency procedures for the aircraft or position involved.

(g) except for holders of existing flight operations officer instructor licences:

(i) the fundamental principles of the teaching-learning process;

(ii) teaching methods and procedures; and

(iii) the instructor-student relationship.

4) Each Operator shall ensure that the transition ground training for flight operations officer instructors includes the approved methods, procedures, and limitations for performing the required normal, abnormal, and emergency procedures applicable to the aircraft or position involved to which the flight operations officer instructor is in transition.

5) Each Operator shall ensure that the initial and transition training for flight operations officer instructors includes the following:

(a) the safety measures for emergency situations that are likely to develop during instruction in a flight operations centre.

(b) the potential results of improper, untimely, or non-execution of safety measures during instruction in a flight operations centre.

6. CHECK PERSONNEL TRAINING

TRAINING FOR CHECK PERSONNEL – GENERAL.

1) No operator may use a person, nor may any person serve as a check person in a training programme unless, with respect to the aircraft type involved, that person has satisfactorily completed the appropriate training phases for the aircraft, including recurrent training and differences training, that are required to serve as PIC, flight engineer, navigator, cabin crew member, or flight operations officer, as applicable.

2) Each Operator shall ensure that initial ground training for check personnel includes:

(a) check personnel duties, functions, and responsibilities;

(b) applicable regulations and the Operator's policies and procedures;

(c) appropriate methods, procedures, and techniques for conducting the required checks;

(d) proper evaluation of student performance including the detection of improper and sufficient training;

(e) personal characteristics of an applicant that could adversely affect safety:

(i) appropriate corrective action in the case of unsatisfactory checks;

(ii) approved methods, procedures, and limitations for performing the required normal, abnormal, and emergency procedures in the aircraft;

(f) transition ground training for all check personnel, shall include the approved methods, procedures, and limitations for performing the required normal, abnormal, and emergency procedures applicable to the aircraft to which the check person is in transition.

5. TRAINING FOR CHECK PERSONNEL OF FLIGHT CREW.

1) For check pilots, each Operator shall ensure that the initial and transition flight training includes:

(a) training and practice in conducting flight evaluations (from the left and right pilot seats for check pilots) in the required normal, abnormal, and emergency procedures to ensure competence to conduct the flight checks.

(b) the potential results of improper, untimely or non-execution of safety measures during an evaluation.

(c) the safety measures (to be taken from either pilot seat for check pilots) for emergency situations that are likely to develop during an evaluation.

2) For check flight engineers and check flight navigators, each Operator shall ensure training to ensure competence to perform assigned duties to include:

(a) the safety measures for emergency situations that are likely to develop during a check;

(b) the potential results of improper, untimely or non-execution of safety measures during a check.

3) Each Operator shall ensure that the initial and transition flight training for check personnel (simulator) includes:

(c) training and practice in conducting flight checks in the required normal, abnormal, and emergency procedures to ensure competence to conduct the checks required by this part (this training and practice shall be accomplished in a flight simulation training device).

(d) training in the operation of flight simulation training devices, to ensure competence to conduct the checks required by this part.

4) An Operator may accomplish flight training for check personnel, in full or in part in an aircraft or in a flight simulation training device, as appropriate.

5) The operator shall record the training in each individuals training record maintained by the operator.

6. TRAINING FOR CHECK CABIN CREW MEMBERS.

For check cabin crew members, each operator shall ensure that the training includes:

(a) the safety measures for emergency situations that are likely to develop during a check; and

(b) the potential results of improper, untimely or non-execution of safety measures during a check.

7. TRAINING FOR CHECK FLIGHT OPERATIONS OFFICERS.

1) For check flight operations officers, each operator shall ensure that the training includes:

(a) the safety measures for emergency situations that are likely to develop during a check; and

(b) the potential results of improper, untimely or non-execution of safety measures during a check.

(c) the operator shall record the training in each individuals training record maintained by the older operator.

THIRD SCHEDULE

(rr.12(11), 66(3)(c)(i) and 122)

GENERAL AVIATION SPECIFIC APPROVALS

1. PURPOSE AND SCOPE

1.1 Specific approvals shall have a standardized format which contains the minimum information required in the specific approval template.

Note.— When the operations to be conducted require a specific approval, a copy of the document(s) needs to be carried on board

SPECIFIC APPROVAL				
ISSUING AUTHORITY and CONTACT DETAILS1 Issuing Authority1 Address Signature: Date2: Telephone: Fax: Email:				
OWNER/OPERATOR Name3:___Address:_____ Telephone:_____ Fax: _____ Email:				
Aircraft model4 and registration marks:				
SPECIFIC APPROVAL	YES	NO	DESCRIPTION5	REMARKS
Low visibility operations Approach &landing Take-off Operational credit(s)			CAT6:____ RVR: _____m DH: _ ft RVR7:____m 8	
RVSM				

AR navigation specifications for PBN operations			9	
Other 10				

Notes.—

1. Civil Aviation Authority name and contact details, including the telephone country code and email if available.

2. Issuance date of the specific approval (dd-mm-yyyy) and signature of the authority representative.

3. Owner or operator's name and address.

4. Insert the helicopter make, model and series, or master series, if a series has been designated The CAST/ICAO taxonomy is available at:http://www.intlaviationstandards.org/.

5. List in this column the most permissive criteria for each approval or the approval type (with appropriate criteria).

6. Insert the applicable precision approach category (CAT II, IIIA, IIIB or IIIC). Insert the minimum RVR in metres and decision height in feet. One line is used per listed approach category.

7. Insert the approved minimum take-off RVR in metres. One line per approval may be used if different approvals are granted.

8. List the airborne capabilities (i.e. automatic landing, HUD, EVS, SVS, CVS) and associated operational credit(s) granted.

9. Performance-based navigation (PBN): one line is used for each PBN AR navigation specification approval (e.g. RNP AR APCH), with appropriate limitations listed in the "Description" column.

10. Other specific approvals or data can be entered here, using one line (or one multi- line block) per approval (e.g. specific approach operations approval,MNPS).

FOURTH SCHEDULE

(r.175(1) &(2))

PENALTIES

1.	Citation	A
2.	Interpretation.	
3.	Application.	
4.	Compliance with laws, regulations and procedures	
5.	Compliance by a foreign operator with laws regulations and procedures of a state	
6.	Safety Manager	
7.	Dangerous goods	
8.	Use of psychoactive substance	B
9.	Operating facilities	B
10.	The air operator certificate	A
11.	Surveillance of operations by a foreign operator	B
12.	Operations Manual	
13.	Operating instructions –General	B
14.	In flight simulations of emergency situations	A
15.	Checklists	B
16.	Minimum flight altitudes (operations under IFR)	B
17.	Heliport or landing location operating minima	A
18.	Fuel and oil records	A
19.	Crew	B
20.	Passengers	A
21.	Over water flights	A
22.	Flight preparation	A
23.	Operational flight planning	A
24.	Alternate heliports	A
25.	Meteorological conditions	A
26.	Fuel and oil requirements	B
27.	Refueling with passengers on board	B
28.	Oxygen supply	A
29.	Heliport operating minima	A
30.	Meteorological observations	A
31.	Hazardous flight conditions	A
32.	Flight crew members at duty stations	A
33.	Use of oxygen	A
34.	Safeguarding of cabin crew and passengers in pressurized	A
	helicopter in the event of loss of pressurization	
35.	Instrument flight procedures	A
36.	Helicopter operating procedures for noise abatement	B
37.	In flight fuel management	A
38.	Duties of pilot-in-command	A
39.	Duties of flight operations officer/flight dispatcher	A
40.	Carry-on baggage	A
41.	Commercial air ambulance operations	

42.	General provisions	A
43.	Applicable to helicopters certificated in accordance with the	B
	Civil Aviation (Airworthiness) Regulations	B
44.	Mass limitation	B
45.	Obstacle data	A
46.	Additional requirements for operations of helicopters	
	in performance class 3 in IMC, except special VFR flights	A
47.	Operator's Maintenance Responsibilities	A
48.	Maintenance Control Manual	A
49.	Maintenance Programme	A
50.	Maintenance Records	A
51.	Continuing Airworthiness Information	A
52.	Modifications and repairs	B
53.	Maintenance Release	A
54.	Records	B
55.	Composition of the flight crew	B
56.	Flight crew member emergency duties	B
57.	Flight crew member training programmes	B
58.	Recent experience: Pilot in command and co-pilot	B
59.	Pilot-in-command operational qualification	B
60.	Pilot proficiency checks	B
61.	Flight crew equipment	B
62.	Flight time, flight duty periods and rest periods	B
63.	Age restriction	A
64.	PIC and Co-pilot licence requirements	A
65.	PIC aeronautical experience	A
66.	Flight Operations Officer/Flight Dispatcher	A
67.	Company procedures indoctrination	A
68.	Dangerous goods training	A
69.	Security Training Programmes	A
70.	Crew resource management training	A
71.	Initial emergency equipment drills	A
72.	Initial, transition and upgrade helicopter ground training: flight crew	A
73.	Initial helicopter ground training: cabin crew	A
74.	Competence checks: cabin crew members	A
75.	Initial training: flight operations officer	A
76.	Initial, transition and upgrade flight training: flight crew member	A
77.	Initial specialized operations trainin	B
78.	Helicopter differences training	B
79.	Use of synthetic flight trainers	A
80.	Helicopter and instrument proficiency checks	A
81.	Introduction of new equipment or procedures	A
82.	Pilot qualification: recent experience	A
83.	Pilot operating limitations and pairing requirements	A
84.	Competence checks: flight operations officer	A

85.	Supervised line flying: pilots	A
86.	Supervised line experience: cabin crew	B
87.	Flight Operations Officer / Flight dispatcher	B
88.	Route and area checks: pilot qualification	A
89.	Low minimums authorization: PIC	A
90.	Designated special aerodromes: PIC qualification	A
91.	Designated special airport qualifications aerodrome limitations	A
92.	Recurrent, requalification training and checking: flight crew members	A
93.	Recurrent, requalification training and checking: cabin crew members	A
94.	Recurrent training: flight operations officers	A
95.	Flight manual.	A
96.	Operator's maintenance control manual	A
97.	Maintenance programme	A
98.	Records of emergency and survival equipment carried	A
99.	Flight recorder records	A
100.	Assignment of emergency duties	A
101.	Protection of cabin crew during flight	A
102.	Training	A
103.	Flight time, flight duty periods and rest periods	A
104.	Operators with no specific approval for the transport of dangerous goods as cargo Operators with a Specific Approval for the Transport of Dangerous Goods as Cargo	A
105.	Operators with a Specific Approval for the Transport of Dangerous Goods as Cargo	A
106.	Loading and securing of dangerous good	A
107.	Dispensing or expending of dangerous goods from helicopters	A
108.	Provision of Information	A
109.	Authorized Instructor qualifications – flight crew, cabin crew, flight operations officer	A
110.	Instructor training	A
111.	Personnel approved to conduct checks	A
112.	Check personnel qualifications- Flight crew training	B
113.	Check personnel qualifications- simulator additional requirements	B
114.	Check personnel for Cabin crew	B
115.	Check personnel for Flight operations officers	B
116.	Check personnel training	A
117.	Monitoring of training and checking activities	A
118.	Termination of proficiency: Competency or line check	A
119.	Compliance with laws, regulations and procedures	A
120.	Dangerous goods	A
121.	Use of psychoactive substances	A
122.	Specific approvals	A
123.	Adequacy of operating facilities	A

124.	Heliport or landing location operating minima	A
125.	Briefing	A
126.	Helicopter airworthiness and safety precautions	A
127.	Weather reports and forecasts	A
128	Limitations imposed by weather conditions VFR, IFR, Heliport operating minima and flights in icing conditions	B
129	Alternate heliports	A
130.	Fuel and oil requirements	A
131.	In-flight fuel management	A
132.	Oxygen supply Use of oxygen	A
133.	Use of oxygen	A
134.	In-flight emergency instruction	A
135.	Weather reporting by pilots	A
136.	Hazardous flight conditions	A
137.	Fitness of flight crew members	A
138.	Flight crew members at duty stations	A
139.	Instrument flight procedures	A
140.	Instruction — General	A
141.	Refueling with passengers on board or rotors turning	A
142.	Over-water flights	A
143.	Operating limitations	A
144.	Maintenance responsibilities	A
145	Maintenance records	A
146.	Continuing airworthiness information	A
147.	Modifications and repairs	A
148.	Maintenance Release	A
149.	Qualifications	A
150.	Composition of the flight crew	A
151.	Communication equipment	A
152.	Navigation equipment	A
153.	Surveillance equipment	A
154.	Applicability	A
155.	Requirement for application	A
157.	Initial review by the Authority	A
158.	Evaluation of the request	A
159.	Possession of the licence	A
160.	Drug and alcohol testing and reporting	A
161	Inspection of licences and certificates	A
162.	Change of name	A
163.	Change of address	A
164.	Replacement of documents	A
165.	Certificate Suspension and Revocations	A
166.	Use and retention of certificates and records	A
167.	Reports of violation	A
168.	Enforcement Aeronautical user fees	A

169.	Aeronautical user fees	A
170.	Application of regulations to Government and visiting forces, etc	A
171.	Extra-territorial application of Regulations	A
172.	Flights over any foreign country	A
173.	Contravention of Regulations	A

Made on the 15th December, 2025.

DAVIS CHIRCHIR,

Cabinet Secretary for Roads and Transport

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