



MINISTRY OF ROADS AND TRANSPORT

EXPLANATORY MEMORANDUM TO THE:

CIVIL AVIATION (AERODROME DESIGN AND OPERATIONS) REGULATIONS, 2025

AND

CIVIL AVIATION (HELIPORTS) REGULATIONS, 2025 ✓

Name of the statutory instrument	Kenya Gazette Supplement No.78... Legislative Supplement No. Legislative Supplement No.47....
Name of the Parent Act	The Civil Aviation Act (CAP 394)
Enacted Pursuant to	Section 82
Name of the Ministry	Ministry of Roads and Transport
Gazetted on	25 th March..., 2025
Tabled on	

1. Purpose of the Statutory Instrument

The purpose of the instruments is to provide the regulatory framework to facilitate the safe, controlled and regulated manner for the design and operation of aerodromes and heliports used for civil operations of aircraft in Kenya. The instruments define specific requirements for design and operations of civil aerodromes and heliports in Kenya. The instruments cover the regulatory requirements for the design and operations of civil aerodromes and heliports in Kenya.

2. Legislative Context

Aerodromes constitute a critical component of the civil aviation system in Kenya. Their operations must be undertaken in a manner consistent with international standards and requirements. The design and operations of civil aerodromes and heliports regulations set forth design standards as well as operational standards to ensure that aerodromes and heliports in Kenya meet internationally acceptable design and operational requirements for safe and secure civil air navigation activities.

The requirements for design and operations of civil aerodromes and heliports particularly those that accommodate international air transport, are established by the International Civil Aviation Organization (ICAO). In that regard, ICAO has published Annex 14 Volume I Volume I — Aerodrome Design and Operations and Volume II — Heliports to provide international Standards and Recommended Practices (SARPs) for the design and operation of aerodromes and heliports.

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

3. Policy Background

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

Aerodromes and heliports are safety critical infrastructure within the civil aviation system, hence the need for effective regulation particularly relating to the design and operations as part of the Kenyan civil aviation system to ensure that they that meet international standards established by ICAO. It is Kenya’s policy to promote and facilitate civil aviation activities by ensuring only entities that meet design and operational requirements are allowed to exercise the privileges of operating aerodromes and heliports for public use. The policy objective therefore is to provide a regulatory framework to support the certification of air operators as well as operations of aircraft within the civil aviation sector throughout the country.

Aerodromes used by and managed by the Military are not within the scope of the policy and this statutory instrument.

4. Consultation Outcome

In the development of the Aerodrome Design and Operations and the Heliports Regulations, stakeholder engagement meetings were held on various dates as follows:

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

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

5. Regulatory Impact Assessment

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

6. Monitoring and review

As part of the KCAA mandate provided for under the Civil Aviation Act, shall be responsible for ensuring the effective implementation of the aerodrome design and operations as well as the heliports regulations.

7. Contact

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