

PROPOSED CHANGES TO DRAFT KCARS 2024

Civil Aviation (Aeronautical Search and Rescue) Regulations, 2024

Name of Regulation	KCARs 2018 Regulatory Provision	Draft KCARs 2022 Regulatory Provision	Proposed changes in Draft KCARs 2024	Reason for proposed change
Civil Aviation (Aeronautical Search and Rescue) Regulations, 2018	CIVIL AVIATION (AERONAUTICAL SEARCH AND RESCUE) REGULATIONS, 2018	CIVIL AVIATION (AERONAUTICAL SEARCH AND RESCUE) REGULATIONS, 2022	CIVIL AVIATION (AERONAUTICAL SEARCH AND RESCUE) REGULATIONS, 2024	Changed to reflect the year of promulgation
	IN EXERCISE of powers conferred by section 82 of the Civil Aviation Act, 2013 the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development makes the following Regulations—	IN EXERCISE of powers conferred by section 82 of the Civil Aviation Act, 2013 the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development makes the following Regulations—	IN EXERCISE of powers conferred by section 82 of the Civil Aviation Act, 2013 the Cabinet Secretary for the Ministry of Roads and Transport makes the following Regulations—	Changed to reflect the correct ministry following re- organization of the government.
	1. These Regulations may be cited as the Civil Aviation (Aeronautical Search and Rescue) Regulations, 2018.	1. These Regulations may be cited as the Civil Aviation (Aeronautical Search and Rescue) Regulations, 2022 and shall come into operation on such date as the Cabinet Secretary may, by notice in the Gazette, appoint.	1. These Regulations may be cited as the Civil Aviation (Aeronautical Search and Rescue) Regulations, 2024	Citation changed to reflect correct year of promulgation
	“Aeronautical Search” means an operation normally coordinated by a rescue	NIL	“Aeronautical Search” means an operation normally coordinated by a rescue coordination	Interpretation of ‘Aeronautical Search’ had been omitted

	coordination centre or rescue sub-centre using available personnel and facilities to locate persons in distress;		centre or rescue sub-centre using available personnel and facilities to locate persons in distress;	
	6. (3) The rescue coordination centre, and as appropriate, rescue sub centre, shall be staffed 24 hours a day by trained personnel proficient in the use of English language used for radiotelephony communications.	6. (3) The rescue coordination centre, and as appropriate, rescue sub centre, shall be staffed 24 hours a day by trained personnel proficient in the use of English language used for radiotelephony communications.	6. (3) The rescue coordination centre, and as appropriate, rescue sub centre, shall be staffed 24 hours a day by trained personnel proficient in the use of English language used for radiotelephony communications.	Spelling errors
	NIL	NIL	6. (8) Each rescue coordination centre and, as appropriate, rescue sub-centre shall maintain up-to-date contact details in the Operations (OPS) Control Directory.	New provision following amendment of annex 12 inserted
	NIL	NIL	6. (9) Each rescue coordination centre and, as appropriate, rescue sub-centre shall subscribe and maintain access to the location of an aircraft in distress repository (LADR).	New provision following amendment of annex 12 inserted
	10. (1) (d) Aeronautical Search and Rescue aircraft are equipped with a device for homing on distress frequencies;	10. (1) (d) aeronautical search and rescue aircraft are equipped with a device for homing on distress frequencies;	10. (1) (d) aeronautical search and rescue aircraft are equipped with a device for homing on distress frequencies and on such other frequencies as may be prescribed;	Amended for clarity
	NIL	NIL	10. (3) The designated aeronautical search and rescue agency shall locate, at appropriate aerodromes, survival equipment suitably packed for dropping by aircraft.	New provision following amendment of annex 12 inserted

	NIL	NIL	10. (4) Each search and rescue aircraft, when used for search and rescue over maritime areas, should carry a droppable device for measuring actual surface drift.	New provision following amendment of annex 12 inserted
	11. (4) The designated Aeronautical Search and Rescue agency shall make arrangements for— (a) joint training exercises involving its Aeronautical Search and Rescue units, those of other States and operators, in order to promote Aeronautical Search and Rescue efficiency; and	11. (4) (a) joint training exercises involving its aeronautical search and rescue units, those of other states and operators, in order to promote	11. (4) (a) joint training exercises involving its RCCs, RSCs and aeronautical search and rescue units, those of other states and operators, in order to promote aeronautical search and rescue efficiency; and	Amended for clarity and to incorporate annex amendments
	12. (1) The designated Aeronautical Search and Rescue agency in coordination with the Authority and relevant government authorities shall establish letters of agreement with Aeronautical Search and Rescue service providers within the State and with all Aeronautical Search and Rescue agencies of contiguous States, to strengthen Aeronautical Search and Rescue cooperation and coordination.	12. (1) The designated aeronautical search and rescue agency in coordination with the authority and relevant government authorities shall establish letters of agreement with aeronautical search and rescue service providers within the state and with all aeronautical search and rescue agencies of contiguous states to strengthen aeronautical search and rescue cooperation and coordination.	11. (5) The designated aeronautical search and rescue agency in coordination with the authority and relevant government authorities shall establish letters of agreement with aeronautical search and rescue service providers within the state and with all aeronautical search and rescue agencies of contiguous states to strengthen aeronautical search and rescue cooperation and coordination.	Renumbered for continuity as per annex

	12. (2) Subject to sub-regulation (1), the designated Aeronautical Search and Rescue agency shall set forth in the agreements, the conditions for entry of each other's Aeronautical Search and Rescue units into respective territories and ensure that these agreements also provide for expediting entry of such units with the least possible formalities.	12. (2) Subject to sub-regulation (1), the designated aeronautical search and rescue agency shall set forth in the agreements, the conditions for entry of each other's aeronautical search and rescue units into respective territories and ensure that these agreements also provide for expediting entry of such units with the least possible formalities.	11. (6) Subject to sub-regulation (1), the designated aeronautical search and rescue agency shall set forth in the agreements, the conditions for entry of each other's aeronautical search and rescue units into respective territories and ensure that these agreements also provide for expediting entry of such units with the least possible formalities.	Renumbered for continuity as per annex
	NIL	NIL	12. (1) The designated aeronautical search and rescue agency shall arrange for all aircraft, vessels and local services and facilities which do not form part of the search and rescue organization to cooperate fully with the latter in search and rescue and to extend any possible assistance to the survivors of aircraft accidents. (2) The designated aeronautical search and rescue agency shall ensure the closest practicable coordination between the relevant aeronautical and maritime authorities to provide for the most effective and efficient search and rescue services.	Provision omitted from previous regulation inserted while sub-regulation is enhanced to incorporate annex 12 amendments

			(3) The designated aeronautical search and rescue agency shall ensure that their search and rescue services cooperate with those responsible for investigating accidents and with those responsible for the care of those who suffered from the accident. (4) Rescue units shall, when practicable, be accompanied by persons qualified in the conduct of aircraft accident investigations to facilitate accident investigation. (5) The designated aeronautical search and rescue agency shall designate a 24-hour search and rescue point of contact available for the receipt and acknowledgement of COSPAS-SARSAT distress alert data that ensures timely notification to the responsible rescue coordination centre for the initiation of appropriate search and rescue response action.	
	NIL	NIL	17. (2) (e) the position, course and speed of aircraft that may be able to provide assistance to aircraft in distress; and	New provision following amendment of annex 12 inserted
	NIL	NIL	17. (2) (f) where the search and rescue region includes maritime areas, the position, course and speed of ships that may be able to provide assistance to aircraft in distress.	New provision following amendment of annex 12 inserted

	NIL	NIL	18. (4) (j) the methods for obtaining approval to allow search and rescue units from an assisting State to enter into the territory of the State of the RCC;	New provision following amendment of annex 12 inserted
	18. (7) To facilitate the implementation of the Aeronautical Search and Rescue plan, the designated Aeronautical Search and Rescue agency shall prepare and keep updated an Aeronautical Search and Rescue manual containing the necessary procedures for Aeronautical Search and Rescue operations and matters connected therewith.	18. (7) To facilitate the implementation of the Aeronautical Search and Rescue plan, the designated Aeronautical Search and Rescue agency shall prepare and keep updated, an Aeronautical Search and Rescue manual containing the necessary procedures for aeronautical search and rescue operations and matters connected therewith.	18. (7) The designated Aeronautical Search and Rescue agency shall prepare and keep updated, an Aeronautical Search and Rescue manual containing the necessary procedures for aeronautical search and rescue operations and matters connected therewith to facilitate the implementation of the Aeronautical Search and Rescue plan.	Revised for clarity
	19. The designated aeronautical search and rescue agency shall ensure that each aeronautical search and rescue unit— (a) is cognizant of all parts of the plans of operation described in regulation 14 that are necessary for the effective conduct of its duties;	19. The designated aeronautical search and rescue agency shall ensure that each aeronautical search and rescue unit— (a) is cognizant of all parts of the plans of operation described in regulation 14 that are necessary for the effective conduct of its duties;	19. The designated aeronautical search and rescue agency shall ensure that each aeronautical search and rescue unit— (a) is cognizant of all parts of the plans of operation described in regulation 18 that are necessary for the effective conduct of its duties; (b) keeps the rescue coordination centre informed of its preparedness; (c) maintains readiness and the required number of	To correct the wrong reference to regulation 14 instead of regulation 18

	(b) keeps the rescue coordination centre informed of its preparedness; (c) maintains readiness and the required number of aeronautical search and rescue facilities; and (d) maintains adequate supplies of rations, medical stores, signaling devices and other survival and rescue equipment.	(b) keeps the rescue coordination centre informed of its preparedness; (c) maintains readiness and the required number of aeronautical search and rescue facilities; and (d) maintains adequate supplies of rations, medical stores, signaling devices and other survival and rescue equipment.	aeronautical search and rescue facilities; and (d) maintains adequate supplies of rations, medical stores, signaling devices and other survival and rescue equipment.	
	20. The designated Aeronautical Search and Rescue agency shall provide for regular training of its Aeronautical Search and Rescue personnel and arrange appropriate Aeronautical Search and Rescue exercises to achieve and maintain maximum efficiency in Aeronautical Search and Rescue operations.	20. The designated aeronautical search and rescue agency shall provide for regular training of its aeronautical search and rescue personnel and arrange appropriate aeronautical search and rescue exercises to achieve and maintain maximum efficiency in aeronautical search and rescue operations.	20. The designated aeronautical search and rescue agency shall provide for regular training and exercises for its aeronautical search and rescue personnel which include both land and maritime environments as appropriate, containing both search and rescue elements, remote from an aerodrome.	Revised to incorporate a new provision following amendment of annex 12
	21. The Cabinet Secretary shall ensure that wreckage resulting from aircraft accidents within Kenya or, in the case of accidents on the high seas, within the	21. The Cabinet Secretary shall ensure that wreckage resulting from aircraft accidents within Kenya or, in the case of accidents on the high seas, within the	21. (1) The designated aeronautical search and rescue agency shall ensure that search and rescue personnel that may be required to respond to an aircraft accident site are trained in the	Revised to incorporate a new provision following amendment of annex 12

	Aeronautical Search and Rescue regions, is removed, obliterated or charted following completion of the accident investigation, if its presence might constitute a hazard or confuse subsequent Aeronautical Search and Rescue operations.	Aeronautical Search and Rescue regions, is removed, obliterated or charted following completion of the accident investigation, if its presence might constitute a hazard or confuse subsequent Aeronautical Search and Rescue operations.	management of related occupational health risks.	
	NIL	NIL	21. (2) The Cabinet Secretary shall ensure that wreckage resulting from aircraft accidents within Kenya or, in the case of accidents on the high seas or in areas of undetermined sovereignty within the Nairobi search and rescue region is removed, obliterated or charted following completion of the accident investigation, if its presence might constitute a hazard or confuse subsequent aeronautical search and rescue operations.	Amended for clarity and renumbered
	27. Procedures at the scene of an accident.	27. Procedures at the scene of an accident.	27. Procedures at the distress scene.	Marginal note revised following annex 12 amendment
	NIL	NIL	27. (2) (c) (vi) whether any distress signals, including distress beacon transmissions, have been received or observed;	New provision following amendment of annex 12 inserted
	27. (2) (c) (ix) apparent best ground access route to the distress sites;	27. (2) (c) (ix) apparent best ground access route to the distress sites;	27. (2) (c) (ix) apparent best ground access route to the distress scene;	Amended as per annex

	NIL	NIL	27. (2) (c) (x) position and description of any other craft in the area that may assist; and	New provision following amendment of annex 12 inserted
	27. (3) If the first aircraft to reach the scene of an accident is not an Aeronautical Search and Rescue aircraft, it shall take charge of onscene activities of all other aircraft subsequently arriving until the first Aeronautical Search and Rescue aircraft reaches the scene of the accident.	27. (3) The first aircraft to reach the distress scene is not an aeronautical search and rescue aircraft, shall take charge of on-scene activities of all other aircraft subsequently arriving until the first aeronautical search and rescue aircraft reaches the distress scene.	27. (3) The first aircraft to reach the distress scene if not an aeronautical search and rescue aircraft, shall take charge of on-scene activities of all other aircraft subsequently arriving until the first aeronautical search and rescue aircraft reaches the distress scene.	Amended as per annex
	27. (8) NIL	27. (8) NIL	27. (8) When carrying a device for measuring actual surface drift in accordance with regulation 10 sub-regulation (4), a search and rescue aircraft shall drop the device as soon as it reaches the scene of an accident.	New provision following amendment of annex 12 inserted
	28. Whenever a distress transmission is intercepted by a pilot-in-command of an aircraft, the pilot shall, if feasible—	28. Whenever a distress transmission is intercepted by a pilot-in-command of an aircraft, the pilot shall, if feasible—	28. (1) Whenever a distress transmission is intercepted by a pilot-in-command of an aircraft, the pilot shall, if feasible—	Renumbered
	28. (1) (e) at the pilot's discretion, while awaiting instructions, proceed to the position given in the transmission; and	28. (e) at the pilot's discretion, while awaiting instructions, proceed to the position given in the transmission; and	28. (1) (e) at the pilot's discretion, while awaiting instructions, proceed to the distress position given in the transmission; and	Revised for clarity
	28. (1) (f) NIL	28. (1) (f) NIL	28. (1) (f) attempt to establish communications with the person(s) in distress.	New provision following amendment of annex 12 inserted

	28. (2) (a) NIL	28. (2) (a) NIL	28. (2) (a) record, and report as soon as possible, the position where the transmission was first received;	New provision following amendment of annex 12 inserted
	28. (2) (b) NIL	28. (2) (b) NIL	28. (2) (b) not alter any settings for squelch on the aircraft's radio; and	New provision following amendment of annex 12 inserted
	28. (2) (c) NIL	28. (2) (c) NIL	28. (2) (c) if feasible, continue to monitor the frequency until such time as the signal ceases, and inform the appropriate rescue coordination centre or air traffic services unit of such.	New provision following amendment of annex 12 inserted
	Made on the 9th May, 2018. JAMES W. MACHARIA, Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development.	Made on the....., 2022 JAMES W. MACHARIA, Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development.	Made on the....., 2024. Kipchumba Murkomen <i>Cabinet Secretary for Roads and Transport</i>	Revised to reflect the correct CS's name and promulgation date