

MATRIX ON DRAFT CIVIL AVIATION (COMMUNICATION PROCEDURES) REGULATIONS, 2022

| No. | Regulation No. | Regulation title                                                             | Stakeholder Comment                               | KCAA Comment                                              | Final Regulations text                                                                                                                                                                                                                                                                                                           | Remarks if any                                               |
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| 1   | 2              | Interpretation                                                               | AIP mentioned in regulation 20 but not defined    | The definition of AIP to be included in the Regulations   | <b><i>“Aeronautical Information Publication (AIP)”</i></b> means publication issued by or with the authority of a State and containing aeronautical information of a lasting character essential to air navigation                                                                                                               | The missing definition is incorporated in the interpretation |
| 2   | 2              | Interpretation                                                               | NOTAM mentioned in regulation 20 but not defined  | The definition of NOTAM to be included in the regulations | <b><i>“Notice to airmen (NOTAM)”</i></b> means a notice distributed by means of telecommunication containing information concerning the establishment, condition or change in any aeronautical facility, service, procedure or hazard, the timely knowledge of which is essential to personnel concerned with flight operations. | The missing definition is incorporated in the interpretation |
| 3   | Part II        |                                                                              | Proposals to include COM operational requirements | Requirements for COM-OPS included                         | <b>PART II<br/>GENERAL REQUIREMENTS FOR<br/>PROVISION OF<br/>COMMUNICATIONS SERVICES<br/>AND OPERATIONS</b>                                                                                                                                                                                                                      |                                                              |
| 4   | 4              | Requirements for Communication, Navigation and Surveillance (CNS) Facilities | Proposals to include COM operational requirements | Requirements for COM-OPS included                         | 4 1) When it has been determined that aeronautical communication operations will be provided, the Authority shall designate an Air Navigation Services Provider (ANSP) to be                                                                                                                                                     |                                                              |

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|     |                |                  |                     |              | <p>responsible for providing such services.</p> <p>(2) The Air Navigation Services Provider in sub-regulation (1) shall—</p> <p>(a) be responsible for Aeronautical Fixed service, Aeronautical mobile service- voice communication, aeronautical mobile service – data communications, Aeronautical radio navigation service and aeronautical broadcast services, within Kenya and to other ICAO designated Aeronautical communication centres as determined by regional air navigation agreements to ensure proper handling of aeronautical data.</p> <p>(b) determine the type and degree of Aeronautical communications services to be provided within the Aeronautical</p> |                |

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|     |                |                  |                     |              | <p>communications region and shall coordinate such services in accordance with these Regulations.</p> <p>(c) establish a system for reporting system risks and the conduct of Aeronautical communications operations to the Authority</p> <p>(d) ensure availability of resources, communication facilities and skilled manpower to coordinate and provide the Aeronautical communications functions.</p> <p>(e) establish processes to improve service provision, including the aspects of planning domestic and international cooperative arrangements and training.</p> |                |

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| 5   | 5              | Certification of Aeronautical Communications Operations Provider | The Aeronautical communication domain within which Aeronautical communications services shall be provided, will be based on regional air navigation agreements. Nairobi communications domain covers the following states: Uganda, Tanzania, Mauritius, Rwanda, Burundi, Ethiopia, Djibouti, South Sudan, Seychelles and Somali. It also has aeronautical data routing responsibilities to South Africa, Egypt, Congo Brazzaville and India. | Already incorporated in Reg 4 (1) (a) |                                                                                                                                                                                 | Specific COM centres not included |
| 6   | 6              | Approval Requirement                                             | 6— (1) The designated Aeronautical communications agency shall establish and publish in the AIP, an aeronautical                                                                                                                                                                                                                                                                                                                             | Included in 4 (2)                     | 4 (2) The Air Navigation Services Provider in sub-regulation (1) shall—<br>(a) be responsible for Aeronautical Fixed service, Aeronautical mobile service- voice communication, |                                   |

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|     |                |                  | communications centre, equipped with appropriate facilities and personnel to—<br>(a) facilitate efficient operations of Aeronautical fixed services; and<br>(b) coordinate the conduct of Aeronautical mobile services operations within the sister frequencies region of Regional and Domestic Air Route Area (RDARA and Major World Air Route Area (MWARA)).<br>(2) The designated Aeronautical communications agency may establish and publish in the AIP; Sub centres, subordinate to the Aeronautical communication centre, where this is considered to |              | aeronautical mobile service – data communications,<br>Aeronautical radio navigation service and aeronautical broadcast services, within Kenya and to other ICAO designated Aeronautical communication centres as determined by regional air navigation agreements to ensure proper handling of aeronautical data.<br>(b) determine the type and degree of Aeronautical communications services to be provided within the Aeronautical communications region and shall coordinate such services in accordance with these Regulations.<br>(c) establish a system for reporting system risks and the conduct of Aeronautical communications |                |



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|     |                |                        | improve the efficiency of Aeronautical communications services within Kenya and the region under jurisdiction.<br>(3) The Aeronautical communication centre and other appropriate sub centre shall be staffed 24 hours daily by trained personnel proficient in the Aeronautical communications procedures and Aeronautical Mobile services procedures as well as proficiency in the use of the English language and radio telephony procedures. |                                                                   | operations to the Authority<br>(d) ensure availability of resources, communication facilities and skilled manpower to coordinate and provide the Aeronautical communications functions.<br>(e) establish processes to improve service provision, including the aspects of planning domestic and international cooperative arrangements and training. |                |
| 7   | 7(1)           | Inspections and Audits | 7 (1) The Authority shall carry out safety inspections and audits on CNS                                                                                                                                                                                                                                                                                                                                                                         | To include "operations" as part of the services to be oversighted | An inspector of the Authority shall have unrestricted access to the facilities, installations, records, documents and operations of the                                                                                                                                                                                                              |                |

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|     |                |                                                             | facilities, documents, records and operations to determine compliance in accordance with these Regulations                                                                                                                |                                                                                                         | service provider to determine compliance with these Regulations and required procedures.                                                                                                                      |                                                                                        |
| 8   | 8 (1)          | Siting and Installation                                     | Proposal to add 8(1) (c) Service provided are in accordance with the provisions of these regulations                                                                                                                      | Proposal to be included to provide for COM OPS services in the Regulations-incorporated with amendments | 8(1) (c) Provide communication operations in accordance with the provisions of these Regulations                                                                                                              | New sub-regulation 8 (1)(c)                                                            |
| 9   | 8(2)           | Siting and Installation                                     | 8 (2) The facilities in sub-regulation (1) shall be installed by licensed ATSEPs with relevant ratings for the facilities and operated by licensed aeronautical station operator with relevant qualifications and rating. | Proposal incorporated in the regulations                                                                | 8(2) The facilities in Sub-regulation (1) shall be installed by licensed ATSEPs with relevant ratings for the facilities and operated by licensed operators with relevant qualifications.                     |                                                                                        |
| 10  | 14(4)          | Periodic Inspection, Testing and Security of CNS facilities | Change of the term Air Navigation Services Provider (ANSP) to CNS Provider conflicting with the AVSEC Regulations                                                                                                         | The proposed change has been reviewed                                                                   | 14(4) The CNS Provider shall implement the security programme for the Communication, Navigation and Surveillance Systems in line with the ANSP's security procedures manual as required in the Civil Aviation | Some of the stations only provide CNS services and are therefore expected to develop a |

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|     |                |                                               |                                                                                 | The Civil Aviation (Certification of ANSPs) regulations have been reviewed and a new regulation introduced to address the issue of ANSP security programme | (Certification of Air Navigation Service Providers) Regulations<br><br>23. The air navigation services provider shall —<br>(a) establish and implement appropriate security provisions to meet the requirements of the Civil Aviation (Security) Regulations;<br>(b) develop and implement measures to protect air navigation facilities, personnel and any other infrastructure meant for air safety;<br>(c) develop and implement measures in order to protect information and communication technology systems used for civil aviation purposes from interference that may jeopardize the safety of civil aviation activities. | security programme<br><br>New Regulation 23 |
| 11  | 16(1)(g)       | CNS Personnel Training and Other Requirements | Proposal to replace conduct a yearly review of the training plan for each staff | “a yearly” review is replaced with “an annual” review                                                                                                      | 16(1)(g) Conduct an annual review of the training plan for each staff at the beginning of the year to identify any gaps in competency and changes in training requirement and prioritize the                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                             |



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|     |                |                        | with<br>conduct an annual review of the training plan for each staff                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                           | type of training required for the coming year;                                                                                                                                                                            |                |
| 12  | 28(3)          | Acceptance of messages | <p>The authority in control of any station through which a message is relayed, should make representations at a later date to the authority in control of the accepting station regarding any message which is considered unacceptable</p> <p>Consider re-wording; annex 10 vol II talks of the authority, with reference to the person in charge of operations, and not necessarily the organization.</p> | The standard in the Annex talks of ‘The Authority of the station...’ but it is not the Authority providing the service. This is done by the CNS provider. | A CNS Provider of any station through which a message is relayed, shall make representations at a later date to a CNS Provider in control of the accepting station regarding any message which is considered unacceptable | Not changed    |
| 13  | 28(4)          | Acceptance of messages | except where special arrangements have been made with                                                                                                                                                                                                                                                                                                                                                      | a CNS provider to be replaced with the CNS Provider                                                                                                       | 28 (4) Only messages for stations forming part of the Aeronautical Telecommunication Service shall be                                                                                                                     |                |

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|     |                |                                                 | a/the CNS Provider concerned<br><br>Replace “a” with “the”                                                                                                                                                         |                                                                                                        | accepted for transmission, except where special arrangements have been made with the CNS Provider concerned                                                                                                                                                            |                                                   |
| 14  | 29(2)          | Transmission and delivery of messages           | Annex 10 ... a single office for each aircraft operating agency shall be designated by agreement between the aeronautical telecommunication agency and the aircraft operating agency concerned                     | This is in order as the aeronautical telecommunication agency in this case is the CNS service provider | A single office for each aircraft operating agency shall be designated by agreement between a CNS Provider and the aircraft operating agency concerned for each station of a CNS Provider from which messages are delivered to one or more aircraft operating agencies | No change                                         |
| 15  | 50             | Correction of errors during message origination | Errors made in the text and noticed immediately shall be corrected by making the error sign (→E→E→E→), transmitting the last correct word or group and then continuing with the message.<br><br>Procedure obsolete | Not applicable in present set up                                                                       |                                                                                                                                                                                                                                                                        | Deleted and the other sub-regulations re-numbered |
| 16  | 57,58,59       | 57. General procedures for aeronautical         | Service moved to ATM -overtaken by events/ AMS service                                                                                                                                                             | The requirements for the provision of HF services are                                                  | Regulations 57,58,59 retained in these Regulations                                                                                                                                                                                                                     | No change                                         |

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|     |                | Mobile Service-Voice Communications<br><br>58. Categories of messages<br><br>59. Communications related to Direction Finding | no longer availed by communications operations                               | contained in Annex 10, Vol.II and therefore whoever is providing the services (Whether ATM, COM or AIS) need to refer to where the Regulations are contained. These requirements need not to be moved to the ATS regulations because the service is being provided by ATS. |                        |                |
| 17  |                | Seventh Schedule                                                                                                             | Proposal to have a Seventh Schedule on the licensing of the COM OPS officers | The licensing of aviation personnel is the responsibility of Personnel Licensing and therefore the proposals will be forwarded to PEL department for review. These provisions cannot be included Communications Procedures Regulations.                                    |                        | Not Adopted    |