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THE CIVIL AVIATION ACT

(No. 12 of 2013)

ESTABLISHMENT OF THE NATIONAL AIR TRANSPORT FACILITATION COMMITTEE

IT IS notified for the general information of the public that following the International Civil Aviation Organization directive pursuant to the provisions of Article 37 of the Convention on International Civil Aviation (Chicago, 1944), and designated as Annex 9, the Cabinet Secretary for Transport and Infrastructure establishes the National Air Transport Facilitation Committee consisting of the following:

- (a) Ministry responsible for Civil Aviation;
- (b) Kenya Civil Aviation Authority;
- (c) Secretariat to the National Civil Aviation Security Committee;
- (d) Kenya Airports Authority;
- (e) Kenya Plant Health Inspectorate Service (KEPHIS);
- (f) Department of Veterinary Services;
- (g) Kenya Revenue Authority (Customs and Border Control);
- (h) Department of Immigration Services;
- (i) Kenya Airports Police Unit;
- (j) Ministry responsible for Foreign Affairs and International Trade (Protocol Directorate);
- (k) Ministry responsible for Public Health (Ports Health Services);
- (l) Kenya Tourism Board;
- (m) Ground Handling Agencies;
- (n) Airline Operators;
- (o) Formation Criminal Investigation Directorate; and
- (p) Frontier Control.

Incorporation of other members

The Committee may invite or incorporate any person it deems fit for the purposes of carrying out its operation to attend and take part in the proceedings of the Committee and that person may participate in any discussion at the meetings but shall not have a right to vote at that meeting.

Terms of reference of the Committee:

- (a) develop and review policies relating to clearance formalities applied to international air transport services;
- (b) ensure the development and implementation of the National Air Transport Facilitation Programme;
- (c) ensure that passengers, cargo and mail are cleared through airports in line with ICAO Standards and best international practices;
- (d) consider recommendations made by Airport Facilitation Committees and, in turn, convey resolutions to Airport Facilitation Committees for implementation;
- (e) review the standards and recommended practices in Annex 9 to the Chicago Convention, as well as proposed changes to these standards and recommended practices and reconciling any differences between national regulations and the international standards;
- (f) keep departments, agencies and other concerned organizations informed of significant relevant facilitation developments in the field of civil aviation and seeking their consideration or making recommendations to them regarding issues related to facilitation as appropriate;
- (g) encourage the use of new technologies and integrating mechanisms to facilitate the smooth movement of aircraft, passengers and cargo into and out of the country;
- (h) carry out periodic inspection tours of airports to assess facilitation matters;
- (i) recommend the review and control of travel documents as per ICAO Standards and Recommended Practices;
- (j) co-ordinate the development and amendment to facilitation regulations as appropriate;
- (k) recommend for the harmonization of standards on documentation related to passengers, cargo and mail with those of neighbouring states;
- (l) explore the possibility of converging control processes of border agencies to achieve “one-stop” inspection;
- (m) recommend amendments to relevant regulations to permit the use of selective inspections or other risk management techniques;
- (n) recommend the development of national policies with regard to provision of services to persons with special needs;

- (o) establish interrelations and liaison with similar agencies in other States within the region and organizing regional consultative meetings on facilitation matters;
- (p) oversee and provide guidance on functions of the Airport Facilitation Committees;
- (q) provide information and guidelines on the facilitation matters and situation within the country;
- (r) co-ordinate with the National Civil Aviation Security Committee on security-related elements of facilitation.

Reporting

- (a) The Committee shall report to the Cabinet Secretary; and
- (b) shall regularly advise and keep the Cabinet Secretary apprised on the progress.

Mode of operation:

In performance of its mandate, the Committee shall regulate its own procedure.

Duration:

The duration of the Committee shall be a period of two (2) years with effect from publication date of this notice.

Secretariat

The Secretariat of the Committee shall be at the Ministry of Transport and Infrastructure, Transcom House, P.O Box 52692-00200, Nairobi, Telephone: +254-020-2729200 Fax: +254-020-2726362.

Costs

The costs incurred by the Committee, including but not restricted to facilitation and payment of allowance in respect of the members and secretaries of the Committee, shall be defrayed from voted funds of each represented Ministry or Government Agency.

Transition Provision

Any direction, instruction or order given by the Committee prior to the publication of this Gazette Notice shall be deemed to have been issued, directed or instructed by the Committee established under this Notice.

Dated the 11th September, 2015.

JAMES MACHARIA,

Ag. Cabinet Secretary for Transport and Infrastructure.